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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF

" THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF WILLIAM IV.

VOL. XI.

COMPRISING THE PERIOD FROM
THE NINTH DAY OF MARCH,
TO
THE SIXTH DAY OF APRIL, 1832.

Third Volume of the Session.

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1832.

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THIRD SERIES.

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HANSARD'S
Parliamentary Debates

During the SECOND SESSION *of the* TENTH PARLIAMENT *of*
the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster,
6th December, 1831,
in the Second Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Third Volume of the Session.

HOUSE OF LORDS,
Friday, *March* 9, 1832.

MINUTES.] Petitions presented. By Viscount CLIFDEN, from the Landholders of Graige, Ullard, and Powerstown, for the Abolition of Tithes in Ireland:—By Lord KING, from the Landholders and Inhabitants of Cashel; and from the Tithe-payers of Myross and West Carbery, for an alteration in the System of Irish Tithes:—By the Earl of RADNOR, from the Inhabitants of Great Farringdon, in favour of the Factories Bill; from the Inhabitants of Burslem, for an Alteration in the Sale of Beer Act.

[EXPLANATION.]

THE Earl of *Caledon* said, he rose to set himself right with such of their Lordships who were not present at the debate which arose yesterday evening, for he was represented in the public papers as having said, that the extinction of tithes was recommended in the tithe Committee by a noble Earl who was not now in his place. What occurred was this. He understood from his noble friend who had preceded him in the debate, that he attributed the Report in question to his Majesty's Ministers, and not to the Committee; and that that opinion was grounded upon the use of a similar phrase in the two Reports. To refute this assertion, which he conceived was prejudicial to the character of the Committee, he observed, that the word extinction, instead of abolition, to which his noble friend had particularly alluded, was suggested, not by his Majesty's Ministers, but, to the best of his belief, by Lord Harrowby; and that it was suggested by him as having been used in former Parliamentary Reports. He was now quite aware of the inconvenience which might arise from the mention of any noble Lord by name in that House, but he thought at the time, he should best satisfy their Lordships of the correctness of his allegation by mentioning the name of a Peer who was so well-known to them by his accuracy on such occasions, who held no office within the present Administration, and who would be amongst the last of their Lordships to compromise the interests of the Established Church.

GLOVE TRADE.] The Earl of *Coventry* said, that although the Petition which he held in his hand, and which proceeded from the operatives employed in the glove-trade residing in the city and suburbs of Worcester, praying their Lordships to institute an inquiry into the state of the Glove-trade, had been in his possession some time, he had judged it best to present it upon the day on which a noble Viscount had given notice of a motion for a Committee of Inquiry into the crying evils so justly complained of by large numbers of their suffering fellow countrymen, in the hope and fervent prayer that the voice of 2,200 persons might not have to make this appeal to their Lordships' humanity in vain. And who were those who had signed it? Men desirous only of using their handicraft, to live by their own industry; loyal subjects, lovers of their homes and country, and desirous only of dying as they had lived previous to the detestable free-trade system, with the means of supporting themselves and their families by their praiseworthy and honest industry. To him it was indeed a source of pride, to be chosen (whatever want of wisdom on their parts might attach to such choice from any incompetency to do justice to the case) the advocate of 2,200 persons in this walk of life, from a city he formerly had the honour of representing in Parliament. He could never cease to implore the House to give ear to their sufferings, and to grant relief according to the prayer of the petition which he had now the honour to lay upon the Table of the House.

Petition read.

Order of the Day for the appointment of a Select Committee to inquire into the state of the Glove-trade also read.

Viscount *Strangford* said, that in addressing their Lordships upon the subject which he should endeavour to lay before them, he was so deeply impressed with a sense of its importance, that he should wish to give to the motion which he was about to submit to the House a fair chance of success, or, at least, to diminish its chances of failure, by disclaiming, *in limine*, all intention of converting it into a mere instrument of party hostility. He would, therefore, at once set out with a distinct declaration, that in humbly but earnestly endeavouring to do his duty to that unfortunate class of his fellow-countrymen who had done him the honour to place their interests in his hands, he had no earthly object in view beyond the maintenance of those interests; that he was not now seeking to establish any charge against his Majesty's Ministers for sacrificing or neglecting them; and that, in urgently pressing upon the King's Government the full and fair consideration of the daily augmenting grievances under which they laboured, and of the remedies to be applied to them, he did so in a spirit so far from unfriendly, that he was willing to avow his reliance on their justice and humanity, and to look to those feelings alone for the success of the motion which he was about to propose. The condition of the British Glove-trade had notoriously fallen from progressive prosperity to a state of decay and distress yet more appalling, if possible, than even that by which other branches of our national industry had been afflicted. The persons concerned in this trade, did not hesitate to ascribe their ruin, and that of the thousands depending on them for bread, to the operation of what was called free-trade, to the unlimited introduction of foreign gloves into this country, both legally, and by smuggling and to their utter inability, taxed as they are, to maintain anything like a fair and equitable competition with the French manufacturer. In all this they might be right, or they might be wrong. It formed no part of his case to assume without evidence that they were right. It would be no answer to them to assume without evidence that they were wrong. The matter was too important to be left at the mercy of mere assertion on either side, and the only fair and safe mode of trying the question was, by parliamentary inquiry. He intreated their Lordships to believe, that his own sentiments on the subject of free-trade in general had nothing whatever to do with the present question. In those sentiments he feared that, as yet, at least, he might look for little sympathy on either side of the House. But he must continue to think, until he should see far other practical results from the free-trade system than the ruin and wretchedness of hundreds of thousands, that "the lights which had led us astray" had not been "light from Heaven." But, be his own opinions what they might, it was to the advocates of free-trade themselves that he had a right to look for his best support on this occasion. If their theories were really so beneficial in practice as they represented them, and as, he doubted not they honestly believed them to be, why should they shrink from placing those benefits in the clearest and most conspicuous light? Why should they shrink from an opportunity of confounding those who impugned the merits of those theories? Why fear an inquiry which, if they were right in their views, would only redound to their honour, and to the disgrace and discomfiture of their adversaries? Why should that be refused in the case of that class of productive labour which this night appealed to them, which was not refused in other cases—those of wool, for example, and coals and silk? There were, he thought, very many reasons why this branch of trade, so far from deserving to be treated worse than others, had many peculiar claims to their protection and favour. Look at its connection with the agricultural interests of the country, through the profit which the landlord and the farmer once derived from the sale of the raw material. He would take only one branch of this manufacture as an example. The leather employed in that particular branch (oil or beaver gloves) was made from native English sheep and lamb skins to the extent of 1,500,000 per annum. Many of these skins now went undressed to America; and, owing to the importation of foreign skins, the price had already fallen to less than one-third of what it was; that was, from 70*s.* to 22*s.* 6*d.* per ten dozen. He stated it advisedly, because he could prove it, that this million and a half of skins now disused made more gloves than the whole increased quantity of foreign skins would supply. But look, too, at the other, the moral claims which this trade had upon their Lordships' special protection. It was a trade which gave constant and remunerating employment to thousands of women and children, whose earnings, joined to those of the agricultural labourer, kept the latter in such a condition of independence and comfort, that it was a known fact, that those districts where the glove-trade prevailed had ever been peaceable, contented, and loyal, and comparatively exempt from those scenes of riot and incendiarism which had disgraced or desolated other parts of the country. It was a trade, too, in every way productive not merely of comfort, but of domestic and social order and happiness. The peasant's home was his manufactory—there was no crowding of miserable children from night till morning, and from morning till night, in pestilential factories—there was no sacrifice of health, and life, and morals, and religion, to the Moloch of gain—there was no assemblage of ignorant multitudes to listen to the inflammatory harangues of furious demagogues, till their passions were worked into madness, and they became, first the tools, and then the victims, of treason. How these scenes of tranquillity and comfort had been changed of late he should presently show; how much more fearfully they might yet be changed was a consideration well worthy the serious attention of all those who were to give a vote that night. He held it to be the bounden duty of Parliament, not to refuse inquiry when a *prima facie* case of grievance or distress was made out affecting any class of the King's subjects, and alleged and offered to be proved by them to originate in legislative enactments. That such a case did exist in the present instance he was fully prepared to prove. It would be for their Lordships to show whether they were prepared to do that which he had said he held to be their duty. He would proceed to take some of the towns which were the chief seats of the glove manufactory, and he would state nothing regarding them which could not be proved by documentary evidence. Here, then, was the past and present condition of Woodstock:—A great number of the inhabitants were, and had been from their childhood, engaged in the manufacture of oil leather gloves, as masters and operatives, and others were, in a great measure, dependent indirectly on its success. The leather from which their gloves were made was entirely of home produce. The animal was bred here; the pelt (the skin) was prepared and milled (that was, made into leather) here; the leather was afterwards dressed, dyed, &c., and made into gloves here. So that other trades besides the glove manufacture were materially interested. In consequence of the admission of French gloves into the market, a lamentable diminution had taken place in the value and consumption of English leather and gloves. The effect was, that thousands of work-people were thrown out of employ, and numbers of females who formerly assisted in earning a living for their families were driven to the revolting labour of preparing road materials, or to their parishes, for aid. The evil was daily increasing; and, in places where peace and comfort reigned among the labouring part of the population, distress and misery had compelled them to resort to pilfering, poaching, and similar dishonest courses. Workmen, who could formerly earn from 20*s.* to 30*s.* per week, had been employed in the roads at from 8*d.* to 14*d.* per day; and numbers of females, who materially assisted in earning a decent support for their families, had been driven to similar tasks at 4*d.* per day. The masters had struggled on, hoping for some alleviation of their difficulties, but they could not much longer bear up against them, and, unless supported by the Government, either by insisting on foreign states entering into a reciprocal system of trade, or prohibiting their manufactures, they (the masters) anticipated utter ruin. An increase of quantity had sometimes been alleged as a proof of prosperity, but an opposite result had been the consequence from several causes. One was, that some manufacturers conceived they might keep the French gloves out of the market by making more at a less profit. Thus A made 10,000*l.* worth at the profit of five per cent, and subsequently made to the amount of 20,000*l.* in the same time, calculating upon two-and-a-half per cent profit. B, C, and D, followed the same course; the end was, that the supply exceeded the demand, and instead of a profit an immense loss was sustained. Another cause was, the inadequate wages paid; a third, the deterioration of quality. Cheap! cheap! was now the universal cry, and man's ingenuity of late had been racked to substitute a spurious for a genuine article. Foreign countries had been inundated with this trash, the consumers had been imposed upon, and the former high character of the British manufacturer had been sacrificed. The manufacturers of Woodstock and parts adjacent, complained of diminished demand and inadequate remuneration, and their work-people of want of employment, both of which they traced back to the admission of French gloves into the home market. From that period to the present, difficulties had increased upon them with diminished means, and accumulating claims, and those who had yet something left, saw no prospect for the future but in the prompt interference of the Legislature in their behalf. He would spare their Lordships the fatigue of listening to the detailed proofs of those allegations. But he thought these proofs were all condensed in the statement, which he should now read, of the progressive increase of the poor-rates in Woodstock and the adjoining parishes:—In 1825, 684*l.*; 1831, estimated at 1,200*l.*, not yet made up. Bladen parish:—Year ending March, 1825, 241*l.*; ditto (expected) 1832, 599*l.* Wooton parish: — 1825, 739*l.*; 1831, 1,310*l.* He would next take Worcester. Here then was the case of the glove trade in that city:—In 1825, the glove trade was in a healthy, flourishing state, giving employment to 30,000 or 40,000 persons, a great proportion of whom were women and children, wives and daughters of the agricultural poor for many miles round that city; and in periods of agricultural depression they contributed mainly to support their husbands and fathers. In 1827, a deputation from Worcester waited on the Board of Trade, and pointed out their inability to compete with the French; and also the defalcation occasioned to the revenue by the system of free trade in gloves. They were told to be patient, and the advantages would soon be seen, not only to the nation, but even to themselves. The result of a perseverance in this system had been the destruction of a great part of the manufacturers of Worcester, and the consequent distress and destruction of the work-people dependent on them. Now, in corroboration of this statement, he again begged leave to refer to that lamentable but true criterion, the increase of poor-rates. This was the statement of those rates for one week in 1825, and the corresponding week in 1832:—The poor-rates at Worcester were trebled; the amount paid to relieve the poor for one week in January, 1825, was 13*l.* 19*s.*; number of cases relieved out of the house 170; number in the house at that period, 131; in January, 1832, the amount paid to relieve the casual poor, was 40*l.* 11*s.*: number of cases relieved, 445; number in the house, 190. The treasurer was considerably in advance, and the distress was rapidly increasing. At the present moment there were, of 1,000 men, in full employment only 113; partial, some at 2*s.* 6*d.* per week, 465; totally unemployed, 422; and there were 1,748 children entirely dependent on these men. But this part of the subject, that of Worcester, he left in much better hands (those of a right reverend Prelate opposite, to whom he appealed), and whose benevolent exertions had done himself and his order the highest honour in the eyes of that grateful population whose wretchedness had excited his sympathy and called forth his truly Christian services. And while on this subject he might, he hoped, be allowed to address a word to the rest of the right reverend Bench, and to remind them that the matter now before them was one of common charity and humanity, and (as far as such principles depended upon the temporal condition of the poor) of morals and of religion too. He would now advert to Yeovil, the prosperity of which had been strongly inferred from the number of glove manufactories having nearly doubled since the introduction of free trade. This fallacy he thought he sufficiently exposed the other night, and he would not again recur to it. Here, however, was the case of the glove trade at this flourishing town of Yeovil:—Yeovil, previously to the admission of French gloves, was in a state of high prosperity, giving employment to several thousands of people for several miles round. Since that period the glove trade had continued to decline as a remunerating one, and the work people were reduced to half their former earnings, and distress and want abounded in all directions. At the present time the manufacturers, not willing to throw a great body of people entirely out of employ, had put the whole of them on half work, and this humane plan was totally counteracted by the increased orders sent to France to meet the deficiency of goods manufactured here. The operatives were, however, peaceable and quiet, and looked with confidence to the result of the appeal about to be made to this House of Parliament. In Stoke and Martock upwards of 500 dozens of beaver gloves were made weekly before 1826; now scarcely 50 dozens; and many of the work-people and their families subsisted almost wholly on potatoes grown by themselves on plots of ground rented of the farmers. To this he would again add his corroborative proof drawn from poor-rates:—Occasional relief granted to the poor from Lady-day, 1825, to Lady-day, 1826, 593*l.*; 1827, 883*l.*; 1828, 881*l.*; 1829, 1,090*l.*; 1830, 996*l.* From Lady-day, 1831, to Michaelmas, 1831, being two quarters only, 504*l.* To this statement he begged leave to add, that in 1820, Yeovil had 115 paupers on the books, receiving 18*l.* 13*s.* per week; there were now, that is, during the week ending on Saturday last, 210 paupers, receiving 30*l.* 15*s.* 9*d.* per week. From Ludlow he had been disappointed in obtaining returns of the poor-rates, but this was the state of the glove trade there:—In Ludlow there were formerly made from 1,200 to 1,500 dozens of gloves weekly; now not more than fifty dozens. The trade gave employment to 1,000 persons, out of a population of little more than 5,000. The distress in this place could be better imagined than described. At Kingston the past and present condition of the glove manufacture was this:—In Kingston, within ten years, as many as 8,000 dozens of beaver gloves had been made annually; now scarcely any were made, and what had latterly been made remained principally on the makers' hands. The state of the poor in this place beggared all description; and the question was, what would the poor do now? He would not pursue these painful details any further. He thought he had said enough to show that there was a *prima facie* case of suffering and distress made out, and into the causes of that distress, he did conceive, their Lordships were bound to inquire. He should be told, perhaps, that he inferred too much from augmented poor rates—that, as population increased, so must poor-rates too. Now, in answer to this, he was prepared to show that the poor-rates in the places which he had mentioned had increased in a far greater ratio and with far greater rapidity than the population. But admitting the accuracy of this objection to his argument drawn from poor-rates, what did it amount to? To the frightful and sickening conclusion that, if population and poor-rates were necessarily to increase together, a time would come when each child that was to be born in the labouring classes was to be born to an heritage of misery and want, an object of extorted charity, and a profitless burthen on the community. Those who would argue thus must have strange and unenviable notions of the justice and benevolence of that Providence whose first command it was, to be fruitful and multiply, and replenish the earth. It might also be argued that these were merely *ex-parte* statements. True; but it was not his fault that they were merely *ex-parte*. It was exactly what he wished them not to be; and, to prevent them from continuing to be so, he wished them to be put to the test of a Committee. They were *ex-parte* statements. But what, then, were the statements of those who had resisted inquiry? *Ex-parte* too. Let them bring these statements to the same test as that to which he was willing to bring his; let them be tried in the same crucible, and he feared not the comparative result of the experiment, nor doubted for a moment which would yield pure metal, and which would produce nothing but dross. Now, with respect to the quantity of French gloves legally imported into this country, the Custom House returns showed that the annual average was about 96,000 dozens of pairs, or in round numbers, (it was something more) at the rate of 3,000 pairs *per diem.* Taking the average labour of men, women, and children, employed in making gloves, beginning with the raw material, and working it up through all its stages, he was assured that one pair might be considered as the employment of one individual in each day. Thus the daily substitution of 3,000 pairs of French gloves for 3,000 pairs of British, destroyed the labour of 3,000 British artizans, and with it destroyed or lowered the rate of comfort of perhaps twenty times that number. Now, one word more as to importations through the Custom House. He took that of London. He held in his hand an authentic document, showing the progressive increase in the importation of French gloves during one month in each year, since the year 1829. He took the shortest month in the year, that of February. In that month of 1829 there were 4,688 dozens of pair imported; in 1830, 6,036 dozen; in 1831, 6,748 dozens; in 1832, (including 316 dozens now in warehouse), the enormous number of 9,162 dozens of pairs; making a difference, as compared with February 1829, of 4,474 dozens of pairs. How, then, in the face of a rapidly increasing importation like this, could we say to the starving British manufacturer, "Only have patience!—pray be quiet!—this is an admirable system—but don't be impatient—and, above all things, don't be so unreasonable as to suppose that we shall condescend to waste our time in inquiring whether this increasing importation will not soon annihilate your trade altogether! We wear gloves—you only make them: what on earth should *you* know about the matter?" So much for the avowed and lawful importation of gloves through the Custom House. Now, as to smuggling: The noble President of the Board of Trade and he broke an amicable lance upon that subject a few nights ago. He told him that there was but very little smuggling in this article. He did not, to be sure, go quite so far as his right hon. Vicegerent in another place, and assert that only 100 dozens were smuggled into England in the course of a year. But he said that there was very little smuggling, and he appealed to the conjoint testimony of Custom House officers and of smugglers; something in the style of the old Spanish fable of the cat bearing witness for the honesty of the rat, and the rat attesting the vigilance of the cat. He did not think either very good authority. The Custom House officer would naturally say, there was no smuggling, to enhance the value of his own services; the smuggler for the best of all personal reasons. But, at the very moment of the noble Lord's speech, he made a vow that he would deprive him of the triumph which his confidential intercourse with smugglers had given him. So he proceeded to place himself too in communication with smugglers

"Et nos quoque in Arcadiâ viximus;"

and he was proud to say, that he succeeded in finding some as daring, and as desperate, and as reckless as any, or almost any, set of men with whom the noble Lord had ever associated, and he thought he had associated with men of that description, daring, and desperate, and very reckless indeed! Now, his smugglers said, in flat contradiction to the noble Lord's smugglers, that smuggling had increased, was increasing, and ought to be—no, that they did not say—ought not to be diminished. Let the noble Lord but grant him the Committee, and full protection for his contraband friends and for himself, and he would produce, and the noble Lord should examine them. But, after all, he thought there were many circumstances which clearly indicated, though they might fail to prove it, that the practice of smuggling to a very great extent existed. It prevailed in the silk trade, as his Majesty's Ministers and Messrs. Leaf most undoubtedly knew. Why not also in gloves? There was the same temptation and the same facility, and such ingenious contrivances as the tunnel at Margate would answer as well for gloves as for silk. The difference between the duty and the rate of insurance at which a cargo of French gloves could be guaranteed to reach this country, free from all damage and risk whatever, was surely a sufficient *bonus* on, and encouragement of, the practice of smuggling. But, besides, there were abundant inferences from other facts, that smuggling did exist to an enormous extent. Look at the extreme low prices at which vast quantities of foreign gloves were sold in the market here, and at which no fair trader could, by any possibility, afford to sell them. Look, too, at the very suspicious and remarkable fact which had been stated to him, that there was not scarcely an instance of a retail tradesman living near the coast who ever sent an order to London for the higher priced kid skin gloves, apparently finding it shorter and cheaper work to supply himself on the coast from the noble Baron's friends and his. He would not now repeat what he had said before in this place touching sundry fallacious and, he thought, not very wise assertions, which were gravely uttered elsewhere, respecting the condition of this trade; the non-existence of smuggling, except, perhaps, at the rate of 100 dozens per annum; the increased importation of skins; the increased quantity of gloves made; the increased number of factories; and all the various other sorts of increase, except the increase of human wretchedness, which was carefully kept out of sight; the story about Berlin gloves; and every other point to which, on a former night, he had adverted. Should they be reproduced this evening, it would then be time enough to trouble the House with a further notice of them. And he would at once come to the only argument which could with any plausibility be urged against a Committee—the argument of *cui bono*. To what good end should a

Committee be appointed? What good was to be expected from its labours? What could a Committee recommend? A return to the old, exploded, abominable system of prohibition? Oh, monstrous! far better leave things as they were than raise expectations that could never be relieved. He told their Lordships plainly and positively that they could not leave things as they were, and, that if they could, they ought not. It was quite idle to suppose that the famishing workmen and their half ruined masters would credit their sentimental professions of delicacy and tenderness for their feelings, or that they would believe that they refused inquiry merely to avoid giving them the pain of a disappointment? Did noble Lords then know so very little of human nature as to imagine that no consolation, no comfort, under the pressure of want and misery, was derived from the mere faculty of uttering their complaints, and from the knowledge that they were, at least, listened to and sympathised in? He regretted that the people would not believe that they refused inquiry merely out of mercy to their feelings; but he would tell them what they would believe should their Lordships refuse this inquiry. They would believe that they refused it merely because it was refused in another place, and that they were thus obliged to uphold, at all risks, the honour and the consistency of that individual Minister who then refused it, and to adopt all the monstrous assertions and assumptions with which he sought to justify that refusal. But, to return to the question of *cui bono*. He was far from admitting as a just logical dilemma that the Committee must either recommend nothing at all, or else a return to the old system of prohibition. He thought that many things might be done to relieve the trade short of prohibition, to which, though no advocate for free trade in the present limited and left-handed sense of the word, he was not at all prepared to assent. He would briefly suggest some of them, not as matured ideas, but merely to show that something might be done. For instance, the Committee might recommend that the duty should be an *ad valorem* duty, instead of one uniform duty, on all sorts and qualities of gloves. It might recommend that smuggling should in all cases be punished with imprisonment. This could be but just, for gentlemen and ladies caught smuggling at Dover, on landing from the packets, could think nothing of a pecuniary fine in comparison of being marched off to gaol. [*A laugh.*] Noble Lords might laugh, but they must allow him to say, that this would be even-handed justice—a thing about which, with their usual good opinion of themselves, they were prodigiously fond of talking and vapouring, but of which there was, he suspected, but very little in this country when wealthy smugglers were concerned. Stamping might be introduced under proper modifications. He would not go so far as to place the dealer in French gloves under the Excise, though he thought something like it might be done. He should wish, too, that, in all instances of seizure the *onus probandi* should rest with the party from whom seized, and not, as was absurdly the case, with the captor. But there was another remedy far more efficacious than all these. Call upon France to become a really reciprocating country. That government had the power of doing so with effect, if they would only exert that power, as was shown by the late reduction in the tonnage duties—a subject, by the way, on which he should still have, one of these days, a word or two to say to the noble President of the Board of Trade. Now, he wished Government to exert themselves a little also in favour of the glove trade. He was quite persuaded that if they could induce the French government to admit, on a moderate duty, our English-made oil-leather or beaver gloves, it would partly tend to restore that branch of the trade, now nearly destroyed, and, by turning the skill and capital of a portion of the kid-skin glove-makers to that article, would give a healthy tone to the whole trade, and be productive of immense relief to the agricultural interest, by reviving the demand for the now disused British skins. He would not trust himself to say all he thought on this point—the admission by France of our fabrics, in return for the benefits which the free trade system heaped upon her, nor of the persevering injustice and unfriendliness manifested in her constant refusal to make any change in her commercial policy at all favourable to the subjects of that too generous and too confiding country by which those benefits had been heaped upon her. He knew that this was delicate and dangerous ground. He knew that if a word was ever said at all reflecting upon France, or her proceedings, up started some noble and pacific Lord, and directly accused those on the side of the House on which he sat, of a design to kindle the flames of war between the two countries. It seemed as if it were thought, that peace with France could not be preserved except by a system of "Oh, no! we never mention her." He should, however, without having the fear of war before his eyes, persist in using that "once familiar word," as synonymous with the cause of two-thirds of that distress which now overwhelmed the manufacturing population of this once happy and prosperous country. He feared he troubled their Lordships at too great length. He thanked them for the indulgence with which they had heard him, of which he was sensible how greatly he stood in need. But, before he sat down, he must be allowed to say to their Lordships, that he did most earnestly hope they would by their vote this night, do that which would mainly contribute to dispel the calumnies and falsehoods with which it had of late been the practice to assail that House of Parliament. Of all the various modes of vilifying the House of Lords which had been or might be resorted to, there was none which it would give him greater pain to see justified by fact than the charge of being indifferent to the prayers of the people, when their prayers happen to be, as they were in this instance, reasonable and just. Their Lordships would do wisely and well to shun the possibility of such an imputation, and seize the present opportunity of showing to the country that, whatever might be the decisions of another assembly, they, at least, were not bound by them, and that they were what they ought to be, and what he trusted, they would always continue to be—the conservative portion of the state. He could not more fitly conclude these observations than by reading a brief abstract from the Worcester petition recently presented to that House, and subsequently printed:—

> "Your petitioners earnestly hope, and confidently trust, that the humane and generous feeling which animated and distinguished the ancient Peerage of England, will be found to exist in the bosom of the present British nobility. The paths of your illustrious ancestors were frequently difficult and dangerous, but death itself possessed no terrors sufficiently strong to sever their attachment from the people. Your path is different. For your Lordships is reserved the pleasing gratification of restoring employment, content, and comfort, to tens of thousands of your humble but grateful fellow-countrymen. To the decision of your Lordships we look with a confident hope of relief. Cast us not into the depths of despair."

He had now the honour of moving their Lordships, that a Select Committee of this House be appointed to inquire into the present distressed state of the British glove trade.

The Bishop of *Bath and Wells* rose to confirm the statement of the noble Lord so far as the glove trade was connected with his diocese. At the town of Yeovil, he could state, of his own knowledge, the men, women, and children employed in the glove trade were formerly in a state of comparative prosperity and comfort; but, since the introduction of French gloves, they had been reduced to a state of the greatest suffering, and of absolute poverty. He did not wish to enter into the question of free trade, and he rose, at the desire of the people of Yeovil to make this statement to the House, which was but the counterpart of that contained in a petition which he had the honour to present on their behalf to his Majesty. He hoped their Lordships would give their best consideration to the subject, and he left it in their hands, with the fullest reliance on their wisdom and humanity.

Lord *Auckland* rose, with reluctance, to offer some objections to the Motion which had just been made by the noble Viscount. It would be far more agreeable to him, were such a course consistent with his sense of public duty, to give his assent to the Motion. The greater part of the noble Lord's speech had been directed to these two objects; first, to show that great distress actually existed; and, secondly, that that distress arose from the large importation of French gloves. He not only denied the extent of the distress which the noble Lord had assumed to exist, but he utterly denied, that that portion of distress which did prevail was occasioned by the causes to which it had been ascribed. He did not yield to the noble Lord, or to any man in the country, in sympathizing deeply with the privations to which the persons engaged in the glove trade were subject, nor did he yield to any person in existence in a most anxious desire to afford such relief as circumstances would permit. But he had no hesitation in declaring, that the appointment of a Committee for the purpose demanded could lead to no practical result. Indeed, an inquiry, unless it could be made the foundation of some legislative measure, which he saw no hope of in this case, must be productive of evil, and not of good. It could have no other effect than to create excitement and agitation among those engaged in the trade, and would only tend to unsettle their minds by expectations of changes which could not be realized, and which were at utter variance with the general commercial policy of the country. He was persuaded that neither the majority of their Lordships, nor even the noble Lord himself, would think of adopting the remedies suggested in these petitions, and where, then, could be the advantage of going into an inquiry on a mere case of distress, without a hope that a remedy could be applied? The ground on which those concerned in the glove trade rested their petitions for inquiry was the effect of the foreign competition, while the reasons for which a Committee had been granted in the silk and wool trades were of a different description. The glove trade was regulated on as favourable terms as it could be. France came into the market on equal, or rather, he should say, unequal terms of competition with our manufacturers, for her gloves were not introduced into our market except upon a duty of twenty-two per cent. Both the French and English manufacturer purchased the materials at the same market; but, by superior skill, the former were enabled to obtain a certain degree of superiority in the finer branches of the trade, while, in the great bulk of the trade, they were inferior to ourselves. Throughout the discussion of this question a much greater portion of distress had been stated to arise from the importation of foreign gloves than was really capable of springing from that source. During the last four years, the importation of foreign gloves had only increased in a small degree. In 1831, it was somewhat more than in 1828, though there was some falling off in 1829 and 1830. The whole annual manufacture of this country amounted to 15,000,000 pair of gloves, and the whole importation during the last year was only a little above 1,000,000. Surely that could not be said alone to have produced such overwhelming distress in the glove trade. Their Lordships must, therefore, look to other causes to account for that distress, and he believed that they could easily be found. They must see whether more capital had not been invested—whether more persons had not been employed—whether, in fact, the trade had not been too much extended; and also, whether, subsequent to that extension, there had not been a change in the fashion, a choice of another article for wearing, and whether these, with other internal circumstances, had not produced the distress. He thought he should easily satisfy their Lordships that such was the case. The glove trade had not positively declined, as might be seen from the fact, that the importation of skins had much increased. In 1829, the number of skins imported was 2,029,000. In 1830, the number was increased; and, in 1831, it amounted to nearly 4,000,000. But at the same time that this increase of importation of the raw material took place, there was an increase of the number of those who were to manufacture it. The population of Yeovil, which had been so often mentioned, amounted, in 1821, to 4,659; while, in 1831, it had increased to 5,921, showing an increase of twenty-five per cent. In Chard, the population in 1821, had been 3,000; in 1831, it was 5,000. In a third place, the population had, in the same period, increased from 1,440 to 2,072; so that, in all these places, the number of those engaged in the manufacture had so much increased as sensibly to affect the amount of the profits to be divided between them. That increase of population was not, however, the only cause of the distress now complained of. The consumption of cotton gloves and of linen gloves had materially increased within the last four years. Indeed, before that time, there was scarcely any thing of that kind used. By a return which he held in his hand, it appeared that there were 300 looms applied to the manufacture of cotton gloves, and that the looms produced 187,000 pairs of gloves. Besides these looms, there were manufactories of gloves, of which no return had been made; and then there were the linen gloves—so that the whole number of that kind of gloves was 200,000 pairs. The effect of this manufacture upon the trade of Worcester was, that, within these four years it had fallen off nearly one-third. It had produced 7,000,000 pair of gloves; but there was now a falling off to the amount he had mentioned. Then, too, there had been a new manufacture established at Leicester, so that the extension of the trade in that direction must have affected the trade at Worcester, and, in fact, all those who had before carried it on. It was clear, from this statement of facts, that by no legislative enactment, could the existing distress among a portion of the glove manufacturers be removed; that nothing could be done by the Legislature to raise those who had formerly been engaged in the glove manufactory to a state of prosperity, without doing that which would be hostile to the other interests of the country. But, supposing that the distress could possibly be removed by legislative interference, was the noble Lord prepared to point out in the Committee the measure that ought to be adopted to produce that effect? The noble Lord had mentioned an *ad valorem* duty. With respect to that, he should only observe, that he had seen a great many of the leading manufacturers, and had asked them their opinion as to the regulations on that subject, and whether they wished any alteration of the present duties; but they all answered that the duties were fairly placed, and they desired no alteration in that respect. He would say for himself and his colleagues, that if a re-consideration of the duties could be of any use or advantage to the glove trade, the Government would not for a moment hesitate to take them into consideration; but such did not appear to be the opinion of the manufacturers, and he himself believed that the duties were fixed as exactly as they could be. There could be no advantage in raising the duties, for it was notorious that high duties only encouraged smuggling. The amount of smuggling in silk was considerable, because the duties were high, while in gloves there was no systematic smuggling whatever; the only smuggling of gloves was that of individuals. Another plan that had been referred to, for the purpose of relieving the manufacturers, was, the affixing a stamp on the gloves. That plan had been tried with respect to silk and lace, but it had failed in both instances. Such a plan, he believed, now existed with respect to paper; but the effect was, that the stamp in all these cases was invariably forged on the other side of the water. He had taken pains to procure evidence on that subject, with a view of seeing what time would be taken up in examining gloves at the Custom House, if they were to be stamped, and he found, that the same quantity which it now took half an hour to examine, would then take a day and a half. It appeared to him, therefore, quite impossible to apply a stamp-duty as a protection. But it was also unnecessary, for, as he had before said, there was no systematic smuggling in gloves. The authority he quoted for that assertion was a very high one on such a point—it was that of the undertaker and insurer of smuggling at Calais. That person stated the prices at which smuggling might be carried on. After mentioning the prices as to figured silks, and other articles of a similar kind, he said to his correspondent, "But I should advise you to try nothing in gloves—they do not pay." Another authority which he could quote to the same point, was that of the Board of Customs, the members of which were satisfied that there was no smuggling in gloves. Besides these authorities, the great dealers in London were of the same opinion. One of them, an importer during the last year to the amount of 133,000 pairs, said, that if there was smuggling in gloves, it would not pay him to import gloves on which the duty was paid, as the smugglers would undersell him in the market. The noble Lord seemed to press for the adoption of a principle of retaliation. He trusted that the noble Lord did not hold out that as the means of encouragement of national trade and industry. If that principle were adopted, the evils of it would fall principally on ourselves. France had been referred to. There was no country on the face of the globe by which so useful and complete a commentary was furnished upon the prohibitory system as by France. No country had been gifted by nature with more advantages—she had tried the prohibitory system in every respect in which it could possibly be applied, and yet it was notorious, that in that country there was scarcely one manufacturer that was in a prosperous condition. He referred for proof of this to their silk trade, their cotton trade, their iron, which, by the way, on account of the prohibitory system, cost the inhabitants of that country double what they might otherwise get it for, and he might even refer to their vineyards, in which, as in others, the restrictive system led to nothing but to poverty. They had applied in France the protecting system to all the articles he had mentioned, and also to the manufacture of beet-root sugar, in order to force the cultivation of one particular kind of produce at home, and the result was highly unfavourable to the people. From all these circumstances, he thought that they must look to other causes for relief from this distress; they must look to the effects of an improved commercial intercourse with France, and not those of a violent retaliation upon her; they must look to the greater diffusion of knowledge on this subject, to the greater power of public opinion, and to the effect which the late conduct of this country must produce on the minds of those who observed it. The noble Lord had spoken as if the importation of French gloves was a pure loss to this country. He must declare himself opposed to that supposition, since it was evident, that either they came here for nothing, or else in exchange for some of the products of our own industry; for, notwithstanding the old story about the balance of trade, and the prohibition laws, it was the fact that our goods found their way into France. It was clear, therefore, that they could not check the importation of foreign gloves without injuring some of the other interests of the country; and they must carry prohibition into complete effect, if they carried it into effect at all. He should deprecate such a course, convinced as he was that it could not be adopted but at the expense of our best interests.

The Duke of *Wellington* said, that he should be the last man to propose to the House that any system should be adopted which would have the effect of altering the policy of this country with respect to its commercial relations; but he wished to say, that when free trade was talked of as existing in this country, the assertion was an absurdity. There was no such thing, there could be no such thing as free trade in this country. We proceeded on the system of protecting our manufactures, and our produce, the produce of our labour and our soil, of protecting them from importation, and protecting them for home consumption, and on that universal system of protection it was absurd to talk of free trade. He hoped that system would continue, and he should be sorry to see the House depart from it. He concurred with what the noble Lord, the President of the Board of Trade, had said as to the intercourse between this country and France. He was most desirous of not checking that intercourse; but that was not the question which had been brought forward by his noble friend. The question was, whether they should have an inquiry, not for the purpose of substituting a prohibition for a duty, which, by the bye, was a prohibition to a certain extent, but for the purpose of ascertaining whether some alteration in the present system could not be made, so far as to give the manufacturers a better protection than the duty now afforded them; and whether some satisfaction ought not to be given to the glove manufacturers, by proving to them that the distress they were suffering was not the result of the measures of the Government. He thought they ought to have that inquiry. Some said the duty was too high, and, therefore, there was smuggling; some said it was too low, and, therefore, the importation of foreign gloves was too great. The only means of deciding between these opposite opinions was, to grant a Committee. The very statement of the noble Lord showed that it was desirable to have a Committee, for then they could agree as to those facts which he had stated, and thus satisfy those who now complained that the cause of their distress was either one for which no remedy could be afforded by the Government, or that if the Government possessed the means of affording a remedy, they were ready to give it. When he was on the other side of the House, two Committees had been granted under similar circumstances. The first was upon the wool trade, the other on the coal trade. At the time those Committees were moved for, he declared the opinion of the Government, that after the fullest consideration of the question relating to the wool duties, they should not be able to alter those duties; and after the Committee had sat, no alteration did take place. In the same manner a Committee had been granted to inquire into the state of the coal trade, although he stated at the time that the Government could not consent to any alteration either in the King's duty or the city duties, in consequence of the result of that inquiry. Now his noble friend only asked for a Committee of Inquiry, without pledging the Government to make any alteration when that inquiry had taken place. Under these circumstances, without feeling a strong hope that anything would or could be done towards improving the condition of the glove manufacturers, he felt it right to vote for the Committee, in order to allow the case to be fully investigated.

The Marquis of *Clanricarde* wished to remark that the whole of the petitions which had been presented to the House on the subject of the glove trade, with one single exception, that presented by the noble Earl this night, prayed not for inquiry and consideration as to their grievances, but for prohibition. That had been asked for over and over again by those of whom the noble Viscount opposite was the Representative, and had been refused. The whole argument in the other House of Parliament went to the propriety, not of raising the duty, or providing other means of protection, but for effecting a total prohibition. If their Lordships went into this inquiry, it was impossible but that they must excite in the minds of the petitioners hopes that could never be realized. He would not enter into a discussion of the principles of free-trade, but at the same time, he must observe, that if their Lordships went back to prohibition in one branch of manufacture, they would soon be called upon to do so in another, and finally in all branches. Free-trade, to an unlimited extent, certainly embraced a wide field, and into a comparison of that principle, and one of protecting duties, according to the interests of the different parties concerned in any particular branch of trade, he would not enter; but as respected the principle which had been adopted, it was that of a departure from prohibition. If their Lordships were prepared to abandon that principle, in respect of this portion of the trade of the country, they would accede to his noble friend's Motion for the appointment of this Committee; but if, on the other hand, they thought that a return to the prohibitory system would be detrimental to the interests of the country at large, they would refuse the Motion. His noble friend appeared to be content to go back to the old system in respect of this trade, but he must recollect, that the glove trade formed a very small portion of the manufactures of the empire; and he had not heard one word in answer to his noble friend, the President of the Board of Trade's argument, as respected the cotton, woollen, silk, and other important branches of our manufactures. His noble friend must also recollect that the quantity of French gloves imported into this country, was comparatively very small, and a very large portion of that quantity consisted of women's gloves. He did not know whether it was so, but he thought it was very likely, that his noble friend, even at the moment while he was advocating the cause of the English glove-trade, himself wore a pair of French kid gloves. But, however that might be, it was quite clear that the French excelled us in the preparation of their leather, and in the fineness of their work; and, therefore, so long as that was the case, so long as their manufacture was better than that of the English, it was impossible that any law could give protection to the home manufacture, because a supply would find its way into this country, so long as the higher classes of society would pay the price, and fashion prescribed them. Inasmuch, therefore, as his noble friend himself entertained doubts as to the extent of good that might be expected to arise from granting his Motion, and as the noble Duke stated that he had little hope of its being possible to remedy the evil of which the petitioners complain, he thought their Lordships would feel no hesitation in rejecting the Motion of his noble friend.

Lord *Ellenborough*, in stating that it was his intention to vote in favour of the Motion of his noble friend, wished it to be understood that he had no desire to encourage the glove manufacturers to suppose that Parliament had the least intention of returning to a system of prohibition, because he thought it was impossible to conceive anything productive of more injury to the country. He could not refrain from expressing the great satisfaction he had felt at hearing the clear, dignified, and Statesmanlike speech of his noble friend, the President of the Board of Trade, whom he must congratulate on that change in his Majesty's Councils, which had enabled him to devote his great abilities to the service of his country. At the same time, while he admitted the Statesman-like view, and expressed his conviction that no one sympathized more sincerely with the distresses of the petitioners, he must differ from him as to the inference he drew, for it was in consequence of what had fallen from his noble friend, that he felt it right to support the Motion. His noble friend admitted the distress of the glove-trade, but, at the same time, said, he did not see his way to a legislative remedy. His noble friend did not think that those distresses arose from legislative enactments, and apprehended that, by granting this Committee, the manufacturers would suppose that a return to the prohibitory system might take place, which his noble friend thought would be injurious, not only to other trades, but to the glove manufacturers themselves. His noble friend who made the Motion, differed in opinion very materially with his noble friend, the President of the Board of Trade, as to the cause of this distress. His noble friend, who proposed the Committee, imagined that these distresses arose from legislative enactments, while his noble friend who opposed the Motion thought—and he was inclined to concur in that opinion—that these distresses were more properly attributable to a change of fashion, or other extrinsic circumstances, over which no legislative enactment could exercise any control. That circumstance convinced him that it would be productive of general benefit to grant this Committee; because that would show to the manufacturers of England, that much of that distress which is now, and has been at various times complained of, was neither the result of the acts, nor arose from the negligence, of the Legislature. He was satisfied that no Government, however perfect, or wise, could exercise any control in this respect.

Our dependence on foreign supply and demand, must occasionally cause distress, which it was impossible that any conduct of political men could prevent or relieve. He believed that from day to day we were proceeding further and further in that course which rendered the relief of the distresses of the country less and less dependent on any measure of legislation enactments. The distress arose from the increased amount of population, from the situation and circumstances of foreign countries, as they connected themselves with the trade of Great Britain, and from the conflicting interests of the manufactures of this and other countries. It was from these causes that the distress arose, and it was impossible that any measure of the Government could control them. Such being his opinion, he was very desirous that an opportunity should be afforded of investigating the real facts of the case, as regarded this particular branch of trade, before a Committee, whereby the truth might be elicited, and a legislative measure, if such should be required, prepared. At all events, that would show the petitioners the real cause of their distress; would evince a sympathy in that distress, and an inclination to attend to their demands, so far as justice, reason, and sound policy, should dictate. If this were a question which affected the interests of persons in other parts of the country, that might be a reason why without some reasonable probability of being enabled to afford relief, a Committee should not be appointed; but this trade being extremely limited, an inquiry might be easily and speedily completed. Something had fallen from his noble friend, the President of the Board of Trade, and from the noble Marquis behind him, on the subject of free-trade. He, however, was not prepared to enter into the consideration of that question, but he would say, that it was essential for the important interests of every State, that it should protect, in every possible manner, such manufactures as are essential to national security and independence. The Legislature had been led by the advice of able men to depart from the previous policy of this country in respect of a system of prohibition, and we were wise in so doing; but he must express his deep regret that the example had not been followed by other countries. At the same time, he felt satisfied that, depending as we did upon the admission of our manufactures into foreign countries for the support and employment of a large proportion of our population, nothing could be worse, nothing could be more inimical to our commercial prosperity, and to the internal tranquillity of the country, which so much depended upon our commerce, than the notion getting abroad amongst foreign nations, that we intended at all to retrace our steps, and to go back to that old prohibitory system from which those wise deviations had been made.

Earl *Grey* did not feel it necessary to address their Lordships at any length on this subject, after the satisfactory speech which they had heard from his noble friend the President of the Board of Trade. He cordially concurred in the sentiment which had fallen from the noble Baron opposite, and he thought with him that, depending as the prosperity and internal tranquillity of the country so much did, upon our commerce and our intercourse with foreign nations, nothing would be more injurious to both than the idea getting abroad that we had any intention of departing from those principles which, of late years, had been so wisely applied to the trade of this country. He should not go into the discussion of those principles now; but this he would say, that as far as they had been acted upon, they had been wisely and beneficially acted upon; and he believed it would be found that their application had proved highly advantageous to the commercial and general interests of the country at large. In stating that, however, he begged to add, that he was not one of those who would act upon such principles without due caution, and without a careful attention to those complicated interests and that state of society which existed in this country, and which might render it impossible to do in all cases that which one might wish to effect. Always assuming those principles abstractly considered to be founded upon justice, and upon reasoning which could not be refuted, he must, at the same time, as a practical Statesman, in this, as in other cases, take into account the various and complicated interests of the country, in regulating the application of such principles. It was true, as the noble Duke had stated, that it had been the practice of this country to protect its manufactures; and with regard to the principle of protecting them to a certain extent, he thought with the noble Duke that it would be inexpedient to depart from it. The amount of that protection must, however, depend on the way in which it operated on trade itself, and the principle of free-trade was only to see how far, without injuring the manufactures of the country, those principles might be introduced for the general good, improvement, and benefit of the country. With regard to the Motion immediately before the House, he must disclaim the appeal which the noble Viscount, who had introduced that Motion, had made to the right reverend Bench, putting this question to them as a question of Christian charity, and thereby insinuating that those who opposed it would oppose the interests of charity, and would be destitute of sympathy for the distresses under which the petitioners laboured. Those who opposed the Motion of the noble Viscount, felt as much sympathy as he could feel for that distress, and as great an anxiety to relieve it; but he must deny that, in a case of this kind, the vote which they were called upon to give, ought to depend on a matter of feeling. While he sympathised with the distress of which the petitioners complained, he should oppose the appointment of a Committee, because he did not see that any practical good would result from its labours. Had any one stated how, in any view, or in any respect, the labours of such a Committee would contribute to the advantage and benefit of those parties who called for it? The noble Viscount stated that he was inimical to the principle of prohibition, and yet the great majority of the petitions presented called for nothing else but prohibition. The noble Duke concluded his speech by saying, that he had no hope that any good could be effected. The noble Baron also stated that he had no expectation that any practical good would result from the investigation. On what account, then, was the matter to go to a Committee?—Simply because the noble Viscount and noble Lords said there were conflicting statements, and therefore a Committee was necessary in order to ascertain which of these statements was correct. He had always thought the general policy of Parliament to be, not to institute an inquiry unless with a view to lead to some beneficial result; and, as such a result was not to be expected in this instance, it was expedient to refuse the appointment of a Committee. His noble friend had stated to their Lordships the real causes of the distress complained of; and he agreed with him, that the more general use of cotton gloves had been one of the great causes of that distress. It appeared to him that the persons who were suffering under that distress were as likely to be satisfied by the decision of the House that evening, founded as it would be on the reasoning of his noble friend, and on the proofs which he had adduced in support of his position, as by the labours of any Committee of Inquiry, if such were appointed—which, in all probability, could do nothing more than confirm the statements he had made. The noble Duke had instanced the appointment of the Wool Committee; but he added, that he objected to its appointment at the time, on the ground that it would lead to no beneficial result, which was afterwards proved to be the fact. With regard to the Coal Committee, its inquiries were not limited to the duty on the coal, but were extended to the regulation of the trade in various parts of the country. As to the Silk Committee, it had been granted because there was a doubt on the subject, and because a hope existed that, after its inquiries, some new regulations might be made which would prove beneficial to that trade. But, in the present instance, the distress which was complained of arose from causes which there was no reason to think that the House could remedy or remove by any legislative inquiry or proceeding. As the remedy of prohibition for which the petitioners called was unadvisable, and, he would say, impossible, there could not be any advantage whatever derived from going into Committee under such circumstances. The granting of a Committee would lead to that suspense which, in commercial matters, it was most desirable to avoid. In the present instance it could only tend to excite hopes which could never be realized; for he was perfectly satisfied that there was no human prospect of any relief being afforded by the adoption of such a proceeding. He had mentioned the reasons which induced the Government to assent to the appointment of the Committee on the silk trade, and he understood that the appointment of that Committee had led to, and already produced, some of those inconveniences in that trade which the appointment of a Committee was always sure to occasion. Under all the circumstances of this case, feeling and deploring as he did the distress and privations to which these petitioners were subjected, he trusted they would see that, in rejecting the prayer of their petitions, the House of Lords did not do so from a want of sympathy with their sufferings, but from a full conviction that the evils of which they complained were beyond the reach of a legislative remedy. He did trust, therefore, that the House would not consider it expedient to consent to this Motion.

Viscount *Strangford* should not trouble the House at any length, though he did not think that it would be difficult to meet every one of the arguments used against him by noble Lords opposite; but of some statements made by them he would take a brief notice. He would begin with his noble relative (the noble Marquis), not because he thought his noble relative's arguments at all entitled to any priority of attention, but simply because he was his noble relative, and that he held it right for every man to endeavour to provide for his own relations first. He would begin with what was personal to himself. His noble relative accused him of wearing French gloves. He denied the charge. Those he wore were English; and he hoped his noble friend would show his patriotism by buying some at the same place. The noble Marquis called him the Representative of the Glovers of England. He was proud of the honour; and, as their Representative, he disclaimed the idea of looking to a return to prohibition as the sole and necessary result of the labours of a Committee. The glovers themselves might, in the first instance, and in their petitions, have asked for prohibition, because it seemed to them to be the simplest and shortest remedy for the evils of which they complained. But it must not be forgotten that what he—their Representative, as the noble Marquis called him—asked for that night, was not prohibition, but inquiry, in the belief, which many of those whom he represented shared with him, that abler and better heads than his or theirs might strike out some plan of relief short of total prohibition, to which, he again said, he was not prepared to accede. The noble Baron had come down upon him with an array of figures. He did not dispute the accuracy of the noble Baron's figures. They might be as correct as the calculations of the great Archytas, Lieutenant Drummond, himself, for aught he knew; but he had just as good a right to claim credit for the accuracy of his own figures. It was, after all, a matter of assertion on both sides, and in that state it ought not to be left. He had heard from the noble Baron many reasons why it was proper and judicious to grant a Committee in the case of the silk trade; but he had not heard one why it was not proper and judicious to grant one in the case of the glove trade. The noble Baron dwelt much on the increased importation of skins. Did the noble Baron mean, that these skins were all made into gloves? There were many other uses to which they were applied. But he was, moreover, fully prepared to shew, that the increased quantity of imported skins—the surplus beyond the quantity imported in the preceding year—was so far from being worked up, that it was actually lying in stock, or in the brokers' hands, and likely to remain there. Again, the noble Baron talked of the increased quantities manufactured. He should remember, that increased production, in any branch of manufacture, proved nothing unless accompanied with a remunerating rate of wages. This had not been the case in the glove trade. The workmen were upon half-wages, and not always upon that. With respect to what are termed Berlin gloves, he begged leave to say that, whatever effect the introduction of that article might have had on the consumption of the oil-leather or beaver gloves, chiefly made at Woodstock and Worcester, it could have had no effect on those made at Yeovil and other places. Those gloves, the Berlin sort, were men's gloves; and the Yeovil gloves were principally, if not solely, ladies' gloves, or gloves of the finer sort. To say, therefore, that the increased production of these coarse gloves had driven the finer sort out of the market, and out of use, was like saying that an increase in the number of waggon-builders was injurious to the coachmakers, and would put coaches and chariots out of fashion. Noble Lords said, that we should take a warning from France. He thought so too. He thought that we might also, in some degree, take a lesson from her, as far as protection to the native manufacturer was concerned. When noble Lords talked of the ill effects of prohibition and protection, he besought them to look at the United States of America, where protection, almost amounting to prohibition, was rigidly enforced. He had now before him documents which would enable him to answer every statement of the noble Lord, the Vice-President of the Board of Trade; but he felt that it would be a waste of their Lordships' time to produce them now. Their value could only be ascertained in a Committee, to which he was still so desirous of referring them, that he was resolved to take the sense of the House on his Motion, even though he should go alone below the Bar.

The House divided: Not Contents 41; Contents 33—Majority 8.

List of NOT CONTENTS.

DUKES
Norfolk
Richmond
MARQUISES
Cleveland
Lansdowne
Queensberry
EARLS
Oxford
Radnor

Mulgrave
Grey
Albemarle
Lichfield
Gosford
Tankerville
Amherst

BISHOPS.

Chichester
Killaloe

VISCOUNT

Hood

BARONS

Sundridge (Duke of Argyll)
Ponsonby
Melbourne (Viscount Melbourne)
Durham
Sefton (Earl of Sefton)
Gower
Monteagle (Marquis of Sligo)
Dover
Mendip (Viscount Clifden)
Wellesley (Marquis Wellesley)
Plunkett
Poltimore
Dundas
Dinorben
King
Fife (Earl of Fife)
Fingall (Earl of Fingall)
Holland
Howard of Effingham
Chaworth (Earl of Meath)
Somerhill (Marquis of Clanricarde)
Panmure
Sheffield

TELLER.

Lord Auckland

List of the CONTENTS.

DUKES

Cumberland
Wellington
Northumberland

MARQUISES

Salisbury
Cholmondeley

EARLS

Coventry
Vane (Marquis of Londonderry)
Charleville
Westmoreland
Rosslyn
Bathurst
Falmouth
Verulam
Jersey

VISCOUNTS

Beresford
Gordon (Earl of Aberdeen)

BARONS

Penshurst (Viscount Strangford)
Redesdale
Clanbrassil (Earl of Roden)
Saltoun
Wallace
Tadcaster (Marquis Thomond)
Monson
Ellenborough
Clanwilliam (Earl of Clanwilliam)
Ravensworth

BISHOPS

Rochester
Bath and Wells
Bangor
Carlisle
Exeter
Litchfield and Coventry

TELLER.

Lord Kenyon

* * *

HOUSE OF COMMONS,

Friday, March 9, 1832.

MINUTES.] Bills committed. Dublin Coal Trade; Tobacco (Ireland). Read a third time; Remedies against the Hundred. Read a second time; Civil Courts Bill; (Ireland.)

Returns ordered. On the Motion of Colonel PERCEVAL, of all Fees and Monies paid into the Office of the Clerk of the Crown and Hanaper in Ireland, on Magistrates Commissions, and Renewed Commissions, and Writs of *dedimus*, from 1st January, to 10th March, 1832:—On the Motion of Mr. BURGE, Copies of a Circular Despatch addressed by Viscount GODERICH to the Governors of West-Indian Colonies on the 3rd of June, 1831, and of a Proclamation inclosed therein, to be issued by the Governors in the event of any Excitement or false Impressions being observed amongst the Slaves; and also, Copies of any Correspondence which passed therein between Viscount GODERICH, and the Governor of Jamaica, and Dispatches from the Governor of Jamaica to Viscount GODERICH, conveying Information to the latest period of the recent Rebellion among the Slaves of that Colony, and of any Proclamation issued by the Governor in consequence of that Rebellion.

Petitions presented. By Mr. CALLAGHAN, from the Inhabitants of Whitchurch, against Clergymen and Road Jobbers being in the Commission of the Peace:—By Mr. HEYWOOD, from Operative Manufacturers of Manchester and Heaton; by Lord MORPETH, from the Owners and Occupiers of Woollen Silk and Flax Mills in the Neighbourhood of Leeds, against the Factories Bill:—By Lord MORPETH, from the Inhabitants of Wakefield. By Mr. LENNARD, from the Inhabitants of Chelmsford; and by Mr. LITTLETON, from the Members of the Wolverhampton Political Council, in favour of the Bill:—By Lord MORPETH, from Saddleworth, to enforce British claims on the Government of Brazil. By Lord GEORGE LENNOX, from Agriculturists for the Hundreds of Box, Stockbridge, and Manhood, Sussex, in favour of the Remedies against the Hundred Bill:—By Mr. CHAPMAN, from Landowners and Occupiers of the County of Westmeath, for the Speedy passage of the Reform Bill: and from the Parish of Demifoze, Westmeath, against Tithes:—By Sir M. S. STEWART, from Sir J. Maxwell, of Pollock, that Peers might be created, for Insuring the success of the Reform Bill, and calling upon the House to Address the King, in order that the Royal Prerogative might be exercised for the purpose:—By Mr. LITTLETON, from the Chief Constable, Clergy, Dissenting Ministers, Churchwardens, and principal Inhabitants of Burslem, for the Repeal of so much of the Sale of Beer Act, as permits Beer to be drunk on the premises.

TAXES ON KNOWLEDGE.] Lord *Morpeth* presented a Petition from certain Letter-press Printers of Stamford, against the Stamp-duty on Advertisements and Newspapers. He did not agree with one part of the petition which went to regulate apprentices, but as far as removing the taxes on newspapers and advertisements went, the petitioners should find him a zealous advocate of their cause. He felt himself bound, in the present state of the country, to promote any object that would give industry its fair reward.

Mr. *Trevor* said, that, in the present licentious state of the public Press, he should be sorry to see the duty on newspapers and advertisements reduced: he thought it a very unobjectionable tax, and those who entered upon the speculation of a newspaper knew that it would be subject to that burthen. At the same time, he begged to declare, that he was not an enemy to the liberty of the Press.

Lord *Morpeth*, on moving that the petition should be printed, begged to say, in reply to the hon. Member, that in addition to the benefit to be derived by editors and advertisers from a reduction of the newspaper duties very great public advantages would arise from the facilities that would be thereby afforded for the greater and more extensive diffusion of knowledge.

The Petition to be printed.

FRIENDLY SOCIETIES.] Mr. Wilks presented Petitions from Benefit Clubs at Limehouse, and Newport Hants, for an amendment of the Act 10th George 4th, relating to Friendly Societies.

Mr. *Evelyn Denison* called upon the House to beware how it re-opened the question relating to Benefit Societies.

Mr. *Croker* perfectly agreed with his hon. friend in thinking that it would be a dangerous experiment to legislate further on this subject.

Mr. *Wilks* was glad of an opportunity of stating the circumstances which induced the petitioners to apply to the House for a remedy. They felt aggrieved by the 40th section of the Act, which required such Societies to be enrolled while it allowed a very short time for that purpose. The only object of the Bill which he wished to introduce, was to extend the time for such enrolment. There were upwards of 5,000 of these Societies which the law required to be enrolled prior to the 19th of June, this process made a considerable inroad into their funds, for the expenses amounted to 25*l.*,and, he believed,that if the Act which authorized this was not amended, many of those excellent Societies would be broken up rather than submit to this expense; but if further time was allowed they might ultimately conform to the law. He wished, therefore, that the time should be extended. He had no wish to make rash experiments, but he did think these persons deserved protection and encouragement.

Mr. Alderman *Thompson* was fully aware that the Act, to which the hon. Member alluded, had excited much dissatisfaction in several manufacturing districts, and he also knew that many Benefit Societies had been broken up, or were on the point of breaking up, partly from the circumstances stated by the hon. Member, and partly from an apprehension that other regulations might be hereafter proposed, which would prove equally prejudicial to their interests. These institutions were of great importance. In many cases they preserved their members when suffering under sickness or want of employment from being compelled to have recourse to their parishes. They were, therefore, entitled to the kind consideration of the House.

Petitions to be printed.

SURRY ROADS.] Mr. Hunt presented a Petition from Christchurch, Surrey, complaining of the number of Turnpikes in that parish, and praying that these Roads might be put upon the same footing as those north of the metropolis.

Mr. Alderman *Wood* said, that, to his knowledge the turnpike-gates were multiplied in such a manner as to be a very great hinderance to travelling through that part of the town; but he did not know how the roads were to be kept in repair unless tolls were taken upon them.

Mr. *Croker* recommended the hon. Alderman, when he said that he did not know how the roads were to be kept in repair if turnpike-gates were removed, to look at what had been done at the other side of the metropolis by the consolidation of the northern trusts, a plan which was accomplished by his noble friend (Lord Lowther), and which had proved so economical as to enable the Commissioners to remove a great many of the turnpike-gates, and pay off a considerable portion of the debt fixed on the roads. He was satisfied by that example, that the roads about the metropolis, might be kept in repair at a much less cost than by separate trusts, each of which had an establishment, whereas one might do the whole business if they were connected together. He, therefore, ventured to suggest, particularly to the hon. members for Surrey, whether they did not think the plan he had spoken of could be extended to that part of the town connected with their county.

Mr. *Hunt*, in moving that the petition should be printed, would merely observe, that he hoped the subject would attract the attention of Ministers; but he must, at the same time, say, that the consolidation of the northern roads in one trust had not hitherto worked well, for the roads, particularly Pentonville Hill, had been, until recently, nearly impassable under their management.

Petition to be printed.

WEST-INDIA COLONIES.] Lord Althorp having moved the Order of the Day for the House to resolve itself into a Committee on the Reform Bill,

The Marquis of *Chandos* rose to ask his Majesty's Government whether any despatches had been received from the West Indies, and whether their contents were calculated to allay the extreme anxiety created by the intelligence received through other channels with regard to the Islands of Jamaica, Antigua and St. Lucia?

Lord *Howick* said, that despatches had been received that morning at the Colonial Office. The intelligence from Jamaica was on the whole satisfactory, and they certainly led to the conclusion that the insurrection was virtually suppressed. Almost all the ringleaders were brought in, and most of them had suffered for their crimes. The despatch of Lord Belmore, indeed, expressed an opinion that no further resistance from the negroes was to be apprehended. He must, however, state, with deep regret, that the accounts showed that a most frightful destruction of property had taken place, and, it was to be feared, a very great loss of life. With respect to the other parts of the West Indies to which the noble Marquis had alluded, he was not aware there was any thing in the state of those colonies of a nature to excite the slightest uneasiness.

The Marquis of *Chandos* said, that, he had received intelligence from Antigua, by a letter which was dated the 30th of Jan. 1832, which described the Island of St. Lucia as being in a state to which he could not understand how it was possible that the noble Lord's observations could apply. With the permission of the House he would read a part of one of his letters upon the subject. The writer stated, that—

> "On the receipt of the Order in Council, and the directions that they must be complied with without delay, the merchants of St. Lucia shut up their stores. In consequence of this, the commanding officer in that Island ordered the merchants to open their stores, and, in case of refusal, he threatened to order the military to force their doors, and compel them to do so. That duplicates of the Orders in Council were laid before a special meeting of the Legislature of the Island. The meeting was held with closed doors, and it was determined to send to England to remonstrate, when they were informed by the Governor that despatches had been received from the Colonial Office, stating that the Government would not permit any modification or alteration of the Orders to be made, but that the Orders, the whole Orders, and nothing but the Orders, should be either agreed to or not, and that if they were rejected by the colonial Legislature, fiscal penalties would be resorted to."

He wished to know from the noble Lord, whether this statement was correct or not?

Lord *Howick* said, that the statement in the letter was virtually correct. In the month of December last Viscount Goderich did send out a circular to the Governors of all such colonies as possessed local Legislatures, announcing that certain fiscal measures were to be adopted for the relief of the West Indies, but in favour of those colonies only which adopted the measures that had been so many years recommended to them by the Government respecting the treatment of slaves. To prevent all cavil and dispute as to what was to be considered a compliance with the wishes of the Government and the country, it was intimated that a declaratory act, giving force to the Orders in Council within the colony, would be the only course that could be so considered. If that were the proper time he was fully prepared triumphantly to vindicate the conduct of the Government upon this transaction. There was no one in the Government who would shrink from that task when the proper time came. In the course they had taken, indeed, they had only followed the advice and opinions of those most alive to the state of West-India affairs, from a local knowledge of what that state was. He need not recal to the House how the Government had been urged to adopt measures to enforce their previous resolutions, and how, at the close of last Session, Gentlemen got up and expressed in the strongest terms their censure of the Government for allowing that irritating state of things to continue, which, for the last eight years, had been constantly exciting the country. He had no notion that this subject would have been brought on, or he should have come down prepared with extracts from the speeches made at the time by hon. Gentlemen connected with those Islands. On the 13th of December, 1831, the hon. member for Sandwich himself stated that it was the duty of the Government to take some measures upon the subject. He felt, however, that it would be improper to go into the discussion at the present time, and although he was aware of the extreme inconvenience of allowing attacks to be made without answer, on the policy of the Government towards the colonies, he would abstain from the discussion. The noble Marquis had alluded to the reports respecting the officer in command at St. Lucia having threatened the merchants of that Island that if they did not open their stores they should be compelled. After the exaggerated statements that had appeared in the newspapers respecting what had occurred at St. Lucia, he thought the House would allow him to state very shortly what the facts were. On the 30th of December Colonel Bousfield, the officer in command, having received his Majesty's Orders in Council of the 2nd of December, gave notice that they would come into operation on the 18th of January. This notice caused great excitement, and produced a very violent remonstrance from the planters; a deputation of them waited on the Governor, and a negotiation was opened, their object being to obtain a withdrawal, a suspension, or a modification of the Orders in Council, in order to allow them time to remonstrate with the Government at home, this was very properly declined by the Governor, who replied, as was the fact, that he had no discretionary power to suspend the Order. When this attempt had failed, on the evening of Saturday the 14th of January the Governor was informed that noneof the shops and stores of the merchants would be opened on the following Monday, various other alarming rumours were also put into circulation. The pretence under which the merchants resolved to shut up the stores was, that a new and oppressive tax had been laid upon them. Now, the very persons who protested against that tax, had themselves admitted that it was necessary, and although it had been asserted that the expenditure had been unnecessarily increased, it had, in fact, been diminished by some thousand pounds annually, since the year 1827, when the reductions were commenced under the Administration of Lord Goderich. The fact was, as was evident by the documents laid on the Table of the House, that since that time the expenditure of the colony had been reduced by the late Government from 19,250*l.* to 12,500*l.*, which he thought the House would see was as small a sum as the Government establishment could well be maintained for. When the Governor first heard of the intention to close the shops, he also heard that it was the intention of the people to refuse to pay the tax on shops, though the taxes for 1832 had been agreed to on the 14th of December, and the authority for the imposition of the tax on shops was signed by three of the leading men of the Island, who afterwards advised resistance to the order which they themselves had previously approved of. From that day, the 14th of January, a combination was entered into by the merchants and storekeepers, not to sell to the Government, and in consequence the Governor was obliged to send for stores to the Island of Martinique. But the principal persons concerned in the combination at St. Lucia, endeavoured to disappoint him, by calling on their friends in the other Island, by letters, to co-operate with them in embarrassing the Government. The Governor having intimation of this proceeding, laid an embargo upon the vessel which was to have conveyed the letters to Martinique. But the Captain attempted to evade the embargo, by carrying the letters in an open boat to an American ship which lay in the offing. He was intercepted, and the letters found upon him were brought to the Governor, who thought it necessary for the peace of the Island to open them. Now, to show to the House the length to which the Gentlemen opposed to the Government in St. Lucia were prepared to go, he (Lord Howick) would read some of those letters. In one, addressed to the House of Ferguson and Co., of Martinique, the writer says:—

> "Among other measures of passive resistance which we have adopted here, we have not opened our stores since the 14th; and the shopkeepers have followed our example. We have done this with a view to resist the payment of a tax—"

Mr. *Croker* rose to order. He had been one of those who thought it would have been well to obtain from the Government some answer upon this important subject calculated to quiet the public mind. But he was sure that they were not then doing right in listening to a statement calculated to prejudice an individual who might hereafter be charged with a very serious offence. He thought the noble Lord was prejudicing the case against any persons who might be considered to be implicated.

Lord *Howick* said, perhaps the right hon. Gentleman was right. The statements he was entering into were hardly proper, and he therefore would confine his remarks to the information which had been received by Government. There had not been any disturbances of the nature supposed by the noble Marquis in St. Lucia, and he would therefore content himself with stating, that the shops and stores had since been opened; and that when the

Admiral came from Martinique to St. Lucia with two vessels, he found the island quiet, and he consequently returned without landing. When the proper occasion arrived, he should be prepared to justify the Order in Council, and the measures which had been taken in consequence of it.

Mr. *Marryatt* would not follow the noble Lord through the statement he had just made, not being prepared for the discussion; but the account he had received of the transactions at St. Lucia, differed very much from the *ex parte* statement of the noble Lord. The parties accused were willing and anxious to meet every investigation; and he trusted the noble Lord would lay the papers relating to this transaction upon the Table, when the House would be better able to judge of the merits of the case. He was certain that on no occasion he had ever expressed any sentiments which could be construed into approval of the measures of Government in sending out the Order in Council. On the contrary, he had, in his communications with the Colonial Office, strongly protested against this measure, and those representations were always received with courtesy, and in some instances complied with. The expression alluded to, referred to the proceedings of the Anti-Slavery Society, which he then contended were calculated to do infinite mischief, and the question which he wished to see settled, referred, not to slavery itself, but to the angry controversies between the contending parties.

Mr. *Burge* was quite sure the House must have felt that the noble Lord was taking a most objectionable course, even if the right hon. Gentleman had not pointed it out. The noble Lord was founding an *ex parte* statement upon materials derived from a very questionable source. The noble Lord had his information from the Governor of St. Lucia; but did not the noble Lord know that the people of that island had complained of the conduct of the Governor? The evidence of that gentleman ought therefore to be received with caution. Something had been said of the conduct of the present Government being approved of by the West-India proprietors. He defied any person to point out a single instance in which a person authorised by the colonies had given his sanction to those fatal proceedings. What had been the conduct of the Government? Many of the colonies possessed legislative assemblies, which were by right and in law free; and yet what had the Government done? Why, sent out certain Orders in Council, which authorized the Governors of the colonies to insist upon the legislative assemblies passing a declaratory act making those Orders in Council, law; and that step the Government demanded should be taken, without any alteration whatever having been made even in the words of the Orders in Council. Did the noble Lord imagine—

Lord *Althorp* rose to order. It appeared to him, that the hon. and learned Gentleman was going into a discussion of the Orders in Council, and that was a course beyond the present question. He thought the right hon. Gentleman was perfectly right in calling his noble friend to order, but upon the same principle the hon. and learned Gentleman was departing from the line of order. He was sure the hon. and learned Member would, on consideration admit, that to pursue his present course would be highly inconvenient.

Mr. *Burge* must appeal to the honour, justice, and candour of the noble Lord, the Chancellor of the Exchequer, and ask him if he could expect that any man connected with the West-India Colonies, could sit still and hear without remark, the observations made by the noble Lord, the under Secretary for the Colonies. The language of the noble Lord as the organ of the Government, was not to be endured, when he insinuated that some colonial proprietors had countenanced the proceedings of Government. No man who respected the rights of a legislative assembly, could by possibility approve of their conduct, when they made an Order in Council, and imperiously commanded what they were pleased to call a legislative assembly to register that Order, without the slightest alteration, as a law made, considered, and adopted by that assembly. Such a proceeding, he contended, was monstrous. He therefore asked, not only for the information which had been referred to by the noble Viscount, but for that faithful information which had been conveyed to the Government at home by the Governors of the colonies, as to the manner in which the Order in Council had been received, and as to the feeling of its colonies respecting that Order. The Government was incurring a frightful responsibility. If the Ministers intended to leave these colonies in as good a state as that in which they found them when they took office, they must pursue a course totally at variance with that which they had hitherto followed. Let it not be supposed that any information was withheld on account of the wishes or interests of the colonists. There was not a colonist who shrunk from investigation — there was not one man connected with the colonies or wishing well to them who did not desire investigation He had himself continually sought and applied for inquiry, and it was only a week ago that he had been able to get an answer, and that answer was, that the Government would give no Committee of inquiry.

Lord *Howick* said, the whole of the information required by the hon. and learned Gentleman would be laid before the House as a matter of course. Up to the present time, information upon the point mooted had been received from only three colonies, but when the information had been obtained from the other colonies, it would be furnished in a complete state.

Sir *Robert Peel* said, no one could feel astonishment that the remarks of the noble Lord, the under Secretary for the Colonies, should excite comment. He, however, would abstain from entering into any consideration of the Order in Council to which reference had been made. He must observe, however, that he was one of those who had protested not only against the mode of proceeding adopted by the Government, but also against the tone and temper in which that mode was put in action. He well recollected the expressions which had been used by a gentleman of a high and honourable character, and who held an important judicial situation under the Government. That hon. and learned Gentleman had said, that he was authorised by the free people of colour in Jamaica, to say that they were ready to make a sacrifice of their property in their slaves. [Dr. *Lushington* expressed his dissent.]—Such was his recollection, and although he might be mistaken, nothing short of the explicit contradiction of the hon. and learned Gentleman himself would lead him to that belief. There was also another statement made by the hon. and learned Gentleman which likewise impressed itself on his mind at the time, and it was to this effect—that if the white inhabitants of Jamaica breathed a word of sedition against the Government, he would undertake to say, that the free people of colour would be ready to rise and to support the Government. Such were the sentiments propagated by the hon. and learned Gentleman, and he lamented at the time to hear them, because they were calculated to defeat and not to forward the object which the House had in view. He lamented also the language which had been used on the same occasion by the noble Lord (Lord Howick). Inexperienced as the noble Lord was, he thought he would have acted only with becoming modesty and caution if he had taken a course far less positive and obnoxious. It was not only arbitrary but preposterous to say to a colony with a legislative assembly, you shall adopt an Order in Council, without the slightest alteration, as your law; that Order in Council being only in a state of preparation when that unmeasured declaration was made. At the time of that proceeding he stated he could not defend the conduct of the colonies. He thought the colonies tardy in adopting necessary and salutary regulations, but he also thought the means taken to compel them to adopt those regulations most unwise and most unjust. He well recollected it had been said, that all appeals had been made to the colonists which humanity could dictate, but that their avarice had overcome them. The course taken by the Government and those who supported its conduct had excited stronger passions than even that of avarice. They had excited the passions of horror, pride, and jealousy. Whatever the noble Lord and the Government might think, those passions would be found too strong for control. Such was his recollection of what had transpired, and such his opinions respecting it, though he hoped that his anticipations would not be realized.

Dr. *Lushington* was glad of an opportunity of explaining any language he had used on a former occasion, which he regretted to find had been misunderstood. What he had said was, that previously to the time when the people of colour were admitted to a participation in the same rights as the whites, he was informed that the free people of colour were ready to accede to any plan to ameliorate the condition of their slaves, which the Government might propose. That declaration was made when the late Government was in office. But the people of colour went further. Upon some person remarking in the colonial assembly of Jamaica, that if the demands of the colonies were not acceded to by the mother country, they, that is the whites, would be justified in throwing off their allegiance and placing themselves under the protection of some other power; they declared, that if any proposal of that kind were made, the free coloured inhabitants of Jamaica were ready to come forward with their lives and fortunes in support of the connexion with Great Britain—that Power to which they owed their allegiance—whatever might be the conduct pursued by the white population of the colony. Their conduct upon every occasion, merited the highest praise. In every insurrection and disturbance, they had conducted themselves most commendably. He would not then enter into the question of West-India slavery; he would only say that he entertained still the same opinions as he had formerly supported. He was convinced that the course adopted by the Government must be persevered in, or misery and desolation would be the consequence. He must inform the right hon. Baronet, that he had never held a situation under Government which had not left him at perfect liberty to exercise and pronounce his own individual opinions.

Sir *Robert Peel* said that even the language of the hon. and learned Gentleman should not lead him into a discussion upon slavery. He was only anxious to prevent it from being supposed that he had uttered one syllable to the disparagement of the coloured population of Jamaica, or of any of our possessions in the West Indies.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWENTY-FIRST DAY.] The House resolved itself into a Committee on the Reform of Parliament (England) Bill.

The *Chairman* stated, that the question before the Committee was, that Walsall (Staffordshire) should stand part of schedule D.

Mr. *Croker* hoped the noble Lord (John Russell) would oblige him by stating the grounds on which it was proposed to include Walsall in schedule D.

Lord *John Russell:* The reason why his Majesty's Ministers proposed to enfranchise Walsall was, that it was a populous town in an important part of the country, and contained a respectable constituency. This place was not in the first Reform Bill, but, in consequence of the representations made to Government on the subject, and as it appeared that an important branch of commerce was carried on in this place, and also because it furnished the elements of a good constituency, the Ministers were induced to give it representation. The right hon. Gentleman had asked a question, and he would endeavour to give the right hon. Gentleman a satisfactory answer. With reference to enfranchisement, he must state, that there were different grounds for giving Representation to different places, and, in some places, a number of reasons combine. These grounds, however, were principally three. One was, to give representation to important seats of trade and manufactures. Another reason was, that it was desirable to bind bodies of people to our institutions, to give them an interest in maintaining them, and to induce them to look to this House as a tribunal where their grievances would be heard and redressed. Another ground for enfranchisement was more general—that this House, as composed of the Representatives of the people, might be improved by the presence of men qualified to bear a part in the discussion of the various questions that might come before the Legislature. He thought it was clear, that those places deserved Representatives, where all those qualifications were combined. There were three places in particular which had these qualifications, and no Member of the House would say, that they ought not to be represented—he meant Leeds, Manchester, and Birmingham. They had large and intelligent constituencies, and were likely to send Representatives to the Legislature who would add to the respectability of the House, and to the benefit of the country. Some of the new boroughs had only two qualifications—for instance, peculiar trade and the elements of a good constituency. Now, Walsall fell within this class, and he did not see what objection could be urged against its insertion in schedule D.

Mr. *Croker* was obliged to the noble Lord for his explanation relative to the grounds on which Representation should be conferred, but he must join issue with the noble Lord on this borough, and say, that Walsall had not any one of the qualifications which the noble Lord had stated. Was the noble Lord aware that the new borough of Walsall was contiguous to, and indeed touched, the new borough of Wolverhampton?

Lord *John Russell* knew that Walsall was near Wolverhampton, but was not aware that it touched that town. Walsall was entitled to a representative on account of its being a rich, populous, and thriving place.

Mr. *Croker* said, that if the noble Lord would look to the map of Walsall, he would find, on its western boundary, a bridge, called County Bridge. By looking to the map of Wolverhampton, he would find that this same County Bridge was the extreme eastern point of that borough. The maps were on so small a scale, that he was not able to assert, that the two proposed boroughs did actually touch, nor for what length of space they bounded each other, but it was quite clear that they were contiguous, and that if not absolutely united, they were, for a considerable distance, only a few hundred yards asunder.

Lord *John Russell* said, he did not see the importance of the point. He would admit it.

Mr. *Croker* said, the Committee would see the importance of the point as he proceeded. They were forming new boroughs to represent particular interests. Now, it was admitted that the new borough of Dudley adjoined the new borough of Wolverhampton, and it was now admitted that Walsall also touched upon Wolverhampton. There were, therefore, three boroughs created in one particular district, contiguous to each other, all having the same interests, and not—if they were all put together and consolidated into one borough—of so much importance in population, as to be equal to one new borough in the north of Staffordshire, and another in Gloucestershire. If the principle adopted with respect to Stoke-upon-Trent and Stroud had been pursued in the case before the Committee, Walsall, Dudley, and Wolverhampton, ought to have formed one borough. If they had received two Members jointly, that would have been amply sufficient; but, as it was, the borough of Wolverhampton would have two Members, Dudley another Member, and Walsall a fourth, while places larger and more important than all three united, were to have but one. In the case of Stoke-upon-Trent, the borough would be seven miles long, and he would undertake to say, that a parallelogram of that extent would include the whole of the three boroughs he had adverted to. Stoke-upon-Trent, too, was superior to Walsall in wealth and population. Walsall was neither rich, nor populous, nor thriving. The real population of Walsall was but 6,401, and it was by a mere trick and juggle that it was raised to the nominal population which it appeared to have. This he would explain more particularly by-and-by, he would only now observe, that it was by adding to the borough of Walsall proper, a separate township called the *Foreign of Walsall*—a course which had not been taken in any other instance—that the fictitious amount of population had been obtained. In the population returns, the borough or parish of Walsall, was carefully distinguished from the Foreign of Walsall. In the population returns it was called the parish of Walsall.

Sir *J. Wrottesley* said, that was a mistake.

Mr. *Croker* said, then the mistake was most extraordinary, for it occurred in the population returns of 1811, 1821, and 1831. In all of those returns, Walsall properly so called was kept entirely distinct from Walsall Foreign, which was a distinct township, and notwithstanding the hon. Baronet's local connexion, he would venture to assure him, and promise by-and-by to prove that, except for the purposes of the present Bill, the distinction between the two townships had never been confounded. He would, therefore, now assume, and, indeed, he supposed the noble Lord would concede to him that the borough of Walsall was distinct from the township called Walsall Foreign? Bearing in mind that distinction, the borough of Walsall, he again affirmed, had only a population of 6,401, the remainder of the population being made up of the Foreign, which, according to the noble Lord's arguments of the preceding evening, ought not to be included. The right hon. Gentleman then referred to the map of the borough of Walsall, and pointed out an error in the colouring, by which it appeared there was no distinction made between the borough and the Foreign. The Commissioners, therefore, seemed to have purposely endeavoured to leave this important point in obscurity, though it was clearly for the explanation and elucidation of such points that they had been appointed.

Nor was that all: the Ministers had laid on the Table six several documents, or sets of documents, affording the statistical information on which the several boroughs had been selected. Now he had examined all these six sets of returns, and it was equally singular and true, that the six documents on which they had been called to legislate for Walsall were all different from each other. So various appeared to have been the tricks and contrivances to swell the importance of Walsall, that no two of the returns respecting that place agreed with each other. But, in addition to this, a report was called for last year, in which it was required that there should be given the populations of those boroughs which were to have Representatives; and it certainly was a most extraordinary circumstance, that, in that paper, Walsall happened to be the very borough, and the only borough, omitted. Of course this arose purely from accident: he was sure that it did. But, for all that, it certainly was most extraordinary that this unfortunate Walsall should be, as it were, the very seat and strong hold of all the clerical errors of the Bill. Occasional mistakes and confusion in so wide a question, and among so many returns, were, perhaps, excusable; but was it not a strange fatality that every possible mistake and confusion should have concentrated themselves in Walsall? But this case was altogether an anomaly, for it was the only instance in which a large rural district had been added to an ancient borough, containing the whole of the town, for the purpose of bolstering up the importance of the latter!

The district itself was also engaged in the same manufactures as the neighbouring boroughs of Dudley and Wolverhampton. But, if it was desirable to give another Representative to that interest, he contended that the proper spot had not been fixed on. In his opinion, if they must select a district in that neighbourhood for Representation, Walsall, with its Foreign, was not the fittest for selection; and, in order to show that, he begged to call the attention of the Committee to a cluster of towns in that immediate neighbourhood, which seemed to him to have a far prior claim to Representation. The places that he referred to were Darlaston, Wednesbury, West Bromwich, and Tipton, and these altogether did not cover a larger space of ground than the proposed Walsall district, for they were all within one, two, and two and a half miles of each other. He begged leave to state particularly the population of these places, in order that Staffordshire and the country in general might know the—careless, he was about to have said, but perhaps he should better describe it as the careful sort of principle on which this Bill was framed. Darlaston, according to the returns, had a population of 6,647; Wednesbury, a population of 8,437; West Bromwich, a population of 15,327; and Tipton, a population of 14,952, making altogether a population of upwards of 48,000 inhabitants within a circle of five miles in diameter; whereas Walsall, within a wider extent of ground, had only a population of 15,000. Then, with respect to its being a flourishing place, what was the evidence? Walsall had increased only 1,200 inhabitants in thirty years, while Darlaston had doubled itself in the same period. Wednesbury had increased 4,000 in the same time, and Tipton and West Bromwich had both increased 10,000. [Sir *John Wrottesley*: Give us the two Walsalls together.] He would oblige the honorable Baronet. The two Walsalls together had increased 4,800, but the other places which he had mentioned also to him, together had increased 28,000 in the same time.

Perhaps it might be said, that Walsall was rich, and paid largely to the assessed taxes; and, as wealth and population must be taken together in deciding on the claims of a town, Walsall should be considered in that double view. To set, therefore, that point at rest, and in order to see what really was the fair condition and station of Walsall, he had taken a list of twenty-six boroughs, and made a calculation upon their population and assessed taxes, according to the plan of Lieutenant Drummond—the plan which the Ministers themselves considered as the best and fairest of all possible tests. And now he really thought the Committee would have some difficulty in believing him, that, of these twenty-six towns, it turned out that Walsall and Whitby held the lowest places of all. The fact was so surprising, that he would substantiate it by some explanation of the details, and would state the relative number that these twenty-six boroughs would hold in the scale, according to Lieutenant Drummond's plan, though he would not (as Lieutenant Drummond had thought proper to do) omit the lowest boroughs, as not worthy of mention. No; he would begin with the very Old Sarum of the twenty-six,—the Old Sarum of the Reform Bill—Walsall ? He begged further to say, that, in these calculations, he had proceeded upon the documents which had been furnished to the House by the noble Lords themselves, and, therefore, of course, there could be no doubt but that they were perfectly correct. This was the order in which they would stand, together with the numbers expressing *Drummondice*, their relative value :

Walsall ..	1,299	Mansfield ..	1,713
Whitby ..	1,314	Chelmsford	1,736
Ely ..	1,320	Trowbridge	1,759
Yeovil ..	1,365	Barnsley ..	1,902
Stourbridge	1,409	Kingston-on-Thames ..	2,021
Warminster	1,428	Loughborough	2,100
Alnwick ..	1,474	Ramsgate ..	2,519
South Shields	1,487	Tunbridge ..	2,736
Newbury ..	1,497	Gosport ..	2,826
Congleton ..	1,535	Doncaster ..	2,860
Bromsgrove	1,661	Leamington	3,400
Penzance ..	1,679	Margate ..	3,508
Stockton-on-Tees ..	1,707	Croydon ..	4,729

This, then, was the situation which was held by Walsall, as compared with this list of towns.

But the noble Lord would, perhaps, reply, that the neighbourhood had been added to Walsall; and, therefore, it was not fair to take the borough alone in this calculation. But, if so, he would ask, whether none of the places in the list he had just read had neighbourhoods? He had looked a little into that question, too, and he found, that if the neighbourhood of Croydon was taken, the population would amount to 20,000; if Margate and Ramsgate were united (and they were only two miles apart), the population would be 20,000; and, if the neighbourhood of Kingston-on-Thames was taken, the population would amount to 18,000, and so on, of almost every town in the list; add on both sides an equal extent of neighbourhood, and Walsall and Whitby will still remain at the bottom of the list.

But, he was now prepared to prove, as he had already stated, that, according to all the principles and practice of the Ministers themselves, this neighbourhood had no title whatsoever to be included in Walsall; and, if he did not prove to the satisfaction of the House, that the Foreign of Walsall ought not to be added to the borough, he was very much deceived, and would, indeed, admit, if he failed in that, his case was altogether invalidated. Now, it happened that there were two other boroughs mentioned in these schedules which had Foreigns as well as Walsall; and they were Reigate and Kidderminster. Reigate, it was curious enough, had actually undergone disfranchisement, because the noble Lords refused to join the Foreign with the borough, and yet such a junction now was the very pretence alleged for giving a Member to Walsall. This fact had distinctly come before the House, by means of a right hon. friend of his having moved the addition of the Foreign to the borough of Reigate; and in answer to that motion, the noble Lord then contended that the addition ought not to be allowed, because the two districts were separate townships which had separate parish officers and separate poor's-rates. Now, this was exactly his statement with respect to the two townships of Walsall; and yet the Ministers found out, in this instance, that their own favourite position was unjust and untenable. According to the official return which he held in his hand, the borough and town of Reigate contained a population of 1,545 souls; and the Foreign contained a further population of 1,978; so that it was evident, that, had the union been allowed, Reigate could never have been placed as it had been, in schedule A; nor, if the same impartial rule had been applied, could Walsall have ever appeared in schedule D. He would now call the attention of the Committee to Kidderminster. According to the return made by the Commissioners, the old borough of Kidderminster, with a part only of the Foreign, was to constitute the new borough; so that, in this case, the Government clearly recognized the distinction between the borough and the Foreign, and did not lump the whole under one common denomination, as in the case of Walsall. But the case did not end here. Let them look at Doncaster; that town, according to the return, contained 10,893 inhabitants; but, in addition to the town of Doncaster, there was a place called the Soke of Doncaster, which was certainly quite as much a part of Doncaster as the Foreign was in the cases of Walsall, Reigate, and Kidderminster—being a sort of outlying district, over which the borough, he believed, exercised some sort of jurisdiction; the Soke of Doncaster contained a population of from 1,300 to 1,700 inhabitants; but it had been excluded—and that exclusion afforded the only reason he could imagine—why Doncaster had not been selected as one of the boroughs to be enfranchised. So Riegate had been disfranchised, and Doncaster had been denied Representatives, on a rule which was broken through for the single purpose of giving a Member to Walsall. But, if the matter was merely taken as a parochial question, and if Ministers should pretend to say, that although Walsall was indeed divided into two townships, it was still but one parish, he could cite numerous towns where portions of the parish had been deemed inadmissible—such as Frome, Clithero, Guildford, and others, but perhaps the strongest of all these cases was Chatham, to which a portion of the parish of Gillingham was annexed, while another portion — for no reason in the world that he could understand — was discarded; and yet, with all these examples of their own making staring them in the face, the Ministers still insisted, in the case of Walsall, on infringing all their own rules, for the sake of extending the franchise to a place, the claim of which was infinitely inferior to that of many of the places which he had already specified.

But he had still more specific evidence to show that the borough and the Foreign of Walsall were distinct places, and he would prove it by reference to a book very well known in Staffordshire—he meant Shaw's history of that county. In the church-yard of one of the parishes in Walsall was an epitaph on a person of the name of Samuel Wilks, who appeared, like other persons of his name, to be a great stickler for the rights of the people. That epitaph was copied into Mr. Shaw's history, and was as follows :—"Reader, if though art an inhabitant of the Foreign of Walsall, know that the dust beneath thy feet was imprisoned in thy cause, because he refused to incorporate the Foreign of Walsall with the borough of Walsall. His resistance was successful. Reader, the benefit is thine." This epitaph on

"A village Hampden, who with dauntless breast
The little tyrant of his fields withstood,"

placed beyond all doubt the separation between the Borough and Foreign of Walsall. Shaw went on to talk about the history of the place, and said, "the parish is large, but distinguished by two names — the town part being called the Borough, and the county part the Foreign—each of which maintains its own poor, under its own parish officers"—the very point, be it remembered, which the noble Lord opposite dwelt upon as unanswerable in the case of Reigate. Shaw went on to state (what the Commissioners had chosen to omit) that the Foreign was a very large, rural district, containing, Bloxwick, Walsall Wood, and several other places, which, on looking at the map, he found contained six-sevenths of the whole united parish. He could not understand why, when in all the maps of other places there was a line distinguishing the boundaries of the town from those of the Foreign, there was not this distinction marked in the map of Walsall.

The noble Lord had said, that his third reason for giving Walsall a Representative was, that it was a rich and thriving place —that it possessed the materials of a most respectable constituency, and that there could be no doubt of its sending an able and weighty Representative to the great council of the nation. Now he remembered the time when Gatton and Old Sarum both returned able and weighty Members to that House, and when Mr. Wilberforce, fatigued with the Representation of Yorkshire, and Mr. Canning, overpowered with that of Liverpool, sought refuge, the one in the close borough of Bramber, and the other in that of Harwich. And yet these boroughs were to be disfranchised, notwithstanding the very able and weighty Representatives whom they had returned to Parliament. It would be ludicrous, if indignation did not suppress all lighter feelings, to observe that there is not, by a strange coincidence, one excuse for enfranchising Walsall, which might not be with truth alleged in favour of other places most partially and unjustly either disfranchised, or denied representation. But let the Committee see whether the historian of Staffordshire gave to Walsall the same flourishing character which the noble Lord had given it. Shaw, the historian of Staffordshire, who published his work in 1801, speaks thus kindly and affectionately of this most wealthy, thriving, and respectable place :—"Being tinged with the smoke of manufacturing industry, this town has been looked upon with ignominy and contempt, and though it has been improperly decried and little noticed," (it has at last got notice enough, and a crown of glory that will long be remembered) "it surely deserves to be better known. For"—and he would give every Member of the House leave to guess what the *for* was,—"*for*, as we have seen in its history, some of the most eminent men in the kingdom were Lords of the Manor." That was all that the historian—the friend and favourer of Walsall, could say in its behalf—the reason, the sole reason, that the defender of Walsall could give, why it should not be treated with utter "ignominy and contempt—" namely, that it was not utterly to be despised, because George Duke of Clarence had been five hundred years ago, in possession of the Manor. He could not but suspect that it was to its Lords of the Manor, that Walsall was in all times destined to owe the consideration it received. Did a place, which had been described in these terms in 1801, and which had only received an increase of 1,200 inhabitants since that time—which was looked upon with ignominy and contempt thirty years ago, and which now only paid 1,100*l.* assessed taxes—did such a place, he asked, require to have a Representative, when there were many more respectable places with infinitely higher claims to the elective franchise all around it? If they gave a Representative to Walsall, the claims of twenty other places—Ramsgate and Margate, Doncaster, Croydon, Ely, for instance—for a similar privilege would be irresistible; not to mention the very superior claims of Toxteth Park, and Merthyr Tydvil. He would say, then, let Walsall be omitted from this schedule, and let the franchise be given to that one of the towns he had mentioned, which might appear the most deserving of it, by having in the highest degree those various claims, none of which—except, perhaps, the interest of the Lord of the Manor—Walsall possessed.

Sir *John Wrottesley* said, that he had resided in Staffordshire all his life, and had hitherto believed that he knew the county well: but the description which the right hon. Gentleman had given on that and a former night, of different places in Staffordshire with which he (Mr. Croker) professed himself particularly well acquainted, appeared to him (Sir John Wrottesley) so extraordinary, that he scarcely knew whether he was in his senses or not. When he heard the right hon. Gentleman talk of the deserted village of Bilston—

Mr. *Croker*.—No, not the deserted village of Bilston, but the village of Bilston.

Sir *John Wrottesley*.—Well, be it so. When he heard the right hon. Gentleman talking of the village of Bilston and the rural district of Sedgeley, he was convinced that the right hon. Gentleman must have travelled over that part of the country without gaining much knowledge respecting it. In Bilston he was sure that the right hon. Gentleman would find nothing that would give any idea of "sweet Auburn," however fond of poetry the right hon. Gentleman might be. In place of a deserted village, he would find a large market-town, in the parish of Wolverhampton, with which it was to be connected in the new Representative system, filled, not with trees and waving foliage, but with long chimnies and smoking steam-engines. The time was also beyond his memory, when Sedgeley was a rural district. The right hon. Gentleman would find there no mossy fountains, no bubbling brooks; the only thing at all like them which he would find there would be the torrents of boiling water which the steam-engines perpetually discharged. The right hon. Gentleman had founded the whole of his argument upon the idea that the foreign and the town of Walsall were distinct. Now they were contiguous, and indeed united with each other, for the brook which ran through the centre of the town divided the borough from the foreign of Walsall. The population of the borough and the foreign, when taken together, amounted to more than 15,000 souls, and that was, in his opinion, a sufficient reason for giving that place a Representative. The right hon. Gentleman had said, astutely enough, that if it could be proved that the borough and foreign of Walsall were united, he would admit that his argument was invalidated. Now if the right hon. Gentleman could show that the borough and foreign of Walsall were distinct, he (Sir John Wrottesley) would immediately give up the claim of Walsall to a Representative; for he would not claim the franchise for a population of 6,000 persons, when there were so many boroughs with a larger population still unrepresented. The town and foreign of Walsall was an ancient jurisdiction; and the Commissioners distinctly stated, that wherever they found an ancient jurisdiction, they did not interfere with it. It was also a corporate town: it had its mayor, aldermen, and recorder—

the last office being filled by a gentleman who was formerly the leader on his circuit, and who would not have accepted the office, if Walsall had been an inconsiderable place. The charter itself must have been a very old one, for it was renewed as long since as the reign of Charles 1st; and though the two divisions were made distinct some years ago, for the purpose of having separate poor-rates, he took it that it was in commemoration of that one point of separation only that this monument had been raised to the right hon. Gentleman's "village Hampden." But the right hon. Gentleman said, that Darlaston, and the other three towns that he had connected with it, had a better claim to Representation, on account of the increase in their population. But those places had not so good a claim as Walsall, for they were chiefly mining districts, and it might be said that nearly the whole distance from Birmingham to Wolverhampton—a line of thirteen miles—was one continuous town; and with respect to West Bromwich, on which the right hon. Gentleman had so much relied, it was not even so much as a market-town, but, from its situation, had chiefly become the site of many villa residences for the inhabitants of Birmingham. The principal question, however, for consideration was, what sort of a constituency would Walsall yield. He was convinced that it would be a highly respectable one; as from the Returns of the Commissioners, it appeared that it contained 800 10*l.* houses,—Schedule D containing only two other boroughs with 800 10*l.* houses, and seven with a smaller number. He knew the place so well, that he was prepared to contend that it was both a thriving and populous place, and that more respectable houses had been built within it during the last few years than in any borough of the same magnitude. Further he could by no means agree with the doctrine laid down by the right hon. Gentleman, that Wolverhampton, Walsall, and Dudley, ought to have been formed into one district of boroughs, as the towns in the potteries were, he would maintain that the relative importance of those districts fairly entitled them to separate franchise; besides which, it was notorious that Wolverhampton, Walsall, and Dudley, from manufacturing different articles of iron, had different interests to promote; whereas the towns in the potteries were all engaged in the same manufacture, and had therefore a community of interests. Then, again, with regard to the population of Staffordshire. The population of Staffordshire, by the last census, was 410,000. The number of Members which it was to return was sixteen, that was to say, eight for the northern and eight for the southern division of the county. This gave one Member to every 25,000 persons in the county, whilst in Dorsetshire, to which the hon. Member for Corfe Castle wished to add another Representative by transferring the franchise from Walsall to the Isle of Purbeck, there was already one Member to every 11,000 persons. That appeared to him to be another strong reason why Walsall should enjoy the elective franchise. He would not follow the right hon. Gentleman further through his hour-and-a-half speech—a speech which had touched upon almost every subject except that in debate, and of which the argument, if not the substance, might have been compressed into a quarter of an hour with ease. He had merely risen to vindicate the claims of Walsall to one Representative, and having done that, he hoped, he should sit down.

Mr. *Croker* said, there appeared, after all, no further difference between the hon. Baronet and himself, than whether the foreign and borough of Walsall were distinct or connected places. The hon. Baronet had not disproved a single argument he had advanced, and the hon. Baronet, in order to find matter for censure, had been obliged to refer to a speech of his delivered on a former occasion. He was, however, quite prepared to justify the language which he had used on a former evening, when he called Bilston a village. He knew that Bilston contained a large population, but still, as it was not a continuous town, and had no corporation, no local limits, no separate magistracy, it was, properly speaking, only a village. He had called Bilston a village in the same manner as people spoke of the Hague, as being the largest village in Europe. In speaking of the district of Sedgley as a rural district and a scattered population, he only followed the example of the boundary Commissioners themselves, who admitted that such was its precise character. It was densely inhabited no doubt, as all the coalition districts were, but it did not comprise anything that could truly be called a town. He now begged to call the attention of the House to the declaration of the hon. Baronet, that if he (Mr. Croker) could prove that the town and foreign of Walsall were distinct, he (Sir John Wrottesley) would withdraw his support from the proposition then before the Committee. Now, he (Mr. Croker) had it luckily in his power to produce a solemn decision of the Court of King's Bench, to show that such a distinction between them existed in law; and that solemn decision was to be found in 2 Barnwall and Alderson. It was the case of "the King v. the Inhabitants of Walsall." He would not trouble the Committee with reading the argument in this case; but the judgment of the Court was as follows:—The Court is called upon to unite the two townships of Walsall and Walsall foreign, which, as far back as human memory could go, have been *in all respects*, and *for all purposes*, separate and distinct; and, indeed, the documentary evidence carries the separation back for a century and a half. Every circumstance that could possibly exist to show that these were distinct townships for all purposes is found in this case."—If this was not an unanswerable proof, he knew not what was—and he accordingly expected the hon. Baronet would, agreeably to his recent pledge, withdraw his advocacy of the new borough of Walsall. He, Mr. Croker, had performed his part of the contract, by proving the distinction to have existed at least for a century and a half, and as he thought the argument of the Chief Justice of the Court of King's Bench, was better than anything he could say, he should not add one word to recommend it.

Sir *John Wrottesley* said, they were only separate townships for the purpose of the poor-rates, and that they were not otherwise distinct.

Mr. *Croker* admitted, that the question on which the decision he had just read was given, rose in the course of a dispute about the poor-rates. But be it recollected, that in the case of Reigate, the foreign was excluded, on the very ground as urged by the noble Lord opposite, that the townships were separate for the purpose of poor-rates. But the case did not rest there: for the Lord Chief Justice said, that the two townships were distinct "*in all respects*" and "*for all purposes.*"

Sir *John Wrottesley*: In making that assertion, the right hon. Gentleman has defeated his own object by endeavouring to prove too much. The two townships are not distinct for all purposes, for the jurisdiction of the borough of Walsall extends over the foreign of Walsall.

Mr. *Croker* said, that the hon. Baronet in endeavouring to escape from the pledge he had so rashly given, was forced to make some unfortunate assertions. In the first place, it was not he (Mr. Croker) who "proved too much," but the Lord Chief Justice of England whose words he had literally quoted; but in the next place, the question of jurisdiction, under which the hon. Baronet was now endeavouring to shelter himself, proved nothing at all; for nothing was so common in almost every corporate town in England, as to have separate parishes under one jurisdiction. Would the hon. Baronet pretend, that the fifty or hundred parishes of which London consisted, were not separate parishes, because they were under the same municipal jurisdiction? And he must, moreover, remind the hon. Baronet, that in the case of Appleby it had been distinctly laid down, not only by the noble Lords, the framers of the measure, but by the hon. Baronet himself, that the law of jurisdiction should not regulate the law of boundary, and he protested against a departure, in the case of Walsall, from that principle which the Ministers had so obstinately maintained on every other occasion.

Sir *Charles Wetherell* said, the borough of Appleby was below the scale by 200 or 300 in the line of population, in consequence of the rule being applied to it, that a co-existing jurisdiction was to have no weight, but that rule was clearly violated in the present case, for the borough and foreign of Walsall were distinct for all but municipal purposes; and, therefore, he should, in consistency, support the proposition of his right hon. friend. He was of opinion Walsall had no claims to be inserted in schedule D.

Mr. *George Bankes* expressed his intention of persevering in the Amendment, of which he had given notice—to substitute the Isle of Purbeck for Walsall, and he hoped to succeed in satisfying the House that it had some claims to a favourable consideration. There was not one of the reasons which he had that night heard given which did not appear to him strong in favour of the claims of Purbeck, and weak and insufficient for those of Walsall. If they drew a circle in the neighbourhood of Walsall, the radius of which was nine miles, they would find that it included seven places returning Members to Parliament; whereas if a circle of ten miles radius were drawn around Purbeck, there would not be found within its limits one place returning Members to that House. It was understood to be one of the principles of the Bill, that counties which contained a population of 150,000 should have four Members. Now, by the census of 1831, Dorsetshire was shown to contain 3,400 more than Cumberland; yet four Members were given to that county, and refused to Dorsetshire, though now there were twenty-three Members more to be disposed of than under the former Bill. He was aware that it might be objected to his proposition that it went to augment the influence of an agricultural district; but that he would answer by saying, that the place was not without somewhat of a manufacturing character; at least its clay pits and its quarries afforded extensive employment to capital and labour distinct from the mere cultivation of the soil. Purbeck was twelve miles long, and seven broad. It was like the Isle of Wight, though not so large. To give it a Member would be strictly conformable to the principles of the Bill, which had in several cases added places to boroughs to enable them to keep their Members. He could speak particularly of Pool, which had received several districts on both sides of it to make it worthy of retaining its Members. The additions to Pool would give one individual, he had heard, great influence in the elections for that place. Wareham, by including three or four parishes, could only raise 164 electors. He felt gratified that he had, on a former occasion, stood up for Wareham and Dorchester, when the Members for the former had given it up, and both of which were now preserved, though both had formerly been excluded, against his representations, by large Ministerial majorities. The peculiar interests of Purbeck which required representation, were a large export trade of fine clay, which was useful in the potteries and its stone quarries. It was the great magazine, of the stone peculiar to this region, in the transport of which not less than 1,000 ships were annually employed, with a tonnage of 50,000 tons, navigated by 5,000 seamen constantly engaged both in the winter and summer months in that species of coast navigation which was so eminently desirable to keep up in contemplation of the possibility of a war. Compare this with the borough of Tavistock, and the latter must shrink into insignificance, for Tavistock was not to the extent of one half the borough district. Upon the whole of the case, he would contend that this was a district which ought, in right of its population, its staple, and its support of the navigation of the country, to have a Representative. Comparing the case of Corfe Castle to the favoured borough of Tavistock, he would observe, the former possessed 278 constituents, Tavistock but 37. Yet the noble Lord proposed to disfranchise the 278, in preference to the 37, on the vague grounds of charge that Corfe Castle was a nomination borough, withdrawing also his attention altogether from the controlling influence so effectually exercised by a particular family in almost all elections for the borough of Tavistock. To effect these objects, the noble Lord at one time included within the district the old walls of a borough, and at another time excluded the living population of the place. By giving a Member to Purbeck, the noble Lord would only do justice, and establish a better balance than at present between the manufacturing and agricultural interests. The population of Purbeck was nearly 7,000, which was more than several places, which under the Bill, would return two Members. He was encouraged by the examples of Wareham and Dorchester, to hope, in the third or fifth edition of the Bill that Purbeck be included. He was sure that it deserved a Member more than Walsall. He should move that Purbeck be substituted for Walsall.

Mr. *Croker* stated, that it was his intention to move that either Merthyr Tydvil, Toxteth Park, or Croyden, which were all or each of them, in right of their population or importance, as well entitled as many boroughs in the excepted schedule to Representatives, should receive a Member, and Walsall not be placed in the schedule. They had better take the question of Walsall first, and it would be open to his hon. friend to move a different appropriation of the Member after he had been taken away from Walsall.

Mr. *George Bankes* said, he should leave the matter to the discretion of his right hon. friend, as the Committee might hereafter take into consideration the case of these claimants.

Mr. *Littleton* expressed his surprise that it should be proposed to take a Member from Walsall and give it to a place in a county more gorged with Members than any other. Dorsetshire would have one Member to 11,000 inhabitants, while Yorkshire had only one to 36,000, and Chester only one to 33,000. He never heard any mistake during the progress of this Bill greater than that committed by his right hon. friend (Mr. Croker). The foreign of Walsall was as completely part of the borough as the town itself. The district in which it was situated contained a population of 300,000. The Assessed Taxes were not large, but the importance of a place of this kind ought to be calculated in the inverse ratio of the Assessed Taxes. Walsall was said to have only 6,000 people, but, in fact, it was considerably more. Including the foreign of Walsall, which was as much part of Walsall as the town north of Oxford-street was part of the metropolis, it contained 15,000 inhabitants. In point of population it was superior to Ashton and Whitby; but, in respect to 10*l.* houses, it was superior to Bury, and several other towns. In fact, it was a thriving, flourishing, and wealthy town.

Mr. *Cressett Pelham* did not see why the population of the county of Essex should not be represented as well as the population of the county of Stafford.

Lord *Granville Somerset* said, the arguments of the hon. member for Staffordshire would have had much more force if applied to other places. He must be permitted to remind him, that he was silent when the claims of Merthyr Tydvil were advocated, although that place had a much larger population than he claimed for Walsal, including the foreign of Walsall. Glamorganshire had only one Member to every 31,000 inhabitants, while Staffordshire had one to about 24,000. Walsall, too, was surrounded by places sending Members to Parliament, while Merthyr Tydvil was at a distance from any other borough. All the tests which proved the prosperity and thriving condition of a town applied much more forcibly to Merthyr Tydvil. Merthyr Tydvil was as important, from the species of nails manufactured there, as Walsall was for saddlery.

Mr. *Littleton* assured his noble friend that the nail trade in Staffordshire gave employment to 40,000 persons.

The Committee divided on the question that Walsall stand part of the Bill: Ayes 165; Noes 87—Majority 78.

Walsall, was accordingly placed, in the schedule.

The next question was, that Whitby stand part of schedule D.

Mr. *Croker* observed, that the town of Whitby was an exception to the general rule. Neither on account of its population or its taxes was it entitled to a Member; and he might, therefore, ask with some surprise, upon what ground it was that his Majesty's Ministers proposed to make Whitby an exception? As he understood the case, the only ground of exception was, that Whitby had peculiar shipping interests which it was desirable should be represented. He was not ignorant that Whitby was a shipping port, and, as he stated the other night, he lamented that its shipping was not greater than it actually was, for that shipping was employed in a very useful trade, both as respected commerce and the increase of our commercial power. The shipping interest was amply represented by the Members for the Tyne and Wear, and the Members for Bristol, Liverpool, Hull, and Scarborough, &c. As a place of great intrinsic consequence, it was still less entitled to a Member; for, in the first place, though the tonnage of the ships was greater than the tonnage of the ships of Dartmouth, yet Dartmouth had a greater number of ships at sea than the port of Whitby. Every other place that he had examined, every other town or district had been following the general advance of the country, and was now in a superior situation with regard to population than it was ten years ago. But what was the case as to Whitby? He was sorry for it, he wished it were otherwise, but the truth was, Whitby was rather in a state of decay than otherwise. He found, by the population returns of 1821, that Whitby and the two towns added to make the borough, had then a population of 11,249. The present population of Whitby, and the other two boroughs, was 10,299 only, being 1,011 less than it was ten years ago. No other borough had come under the consideration of the House in which there had not been a considerable increase. However, after the recent decision of the House, he would not again give them the trouble to divide. This appeared to him to be a strong case; he saw no reason why it should be made an exception to the general rule.

Mr. *Schonswar* said, he was prepared to maintain that Ministers acted wisely in giving this place a Member, in consequence of its shipping interest. It was peculiarly a shipping port, the only manufacture being that of ships, which, during the war, were employed in the transport service. He was sorry to say, that, during peace it declined. Still, however, it contained a large capital, and there was a great deal of shipping built there. Though a little depressed now, that was no reason why it might not revive hereafter.

Mr. *Hodgson* also contended, that the importance of the shipping trade of Whitby, although it was not so great as formerly, entitled it to a Representative. It had above 10,000 inhabitants, and he believed there were between three and four hundred 10*l*. houses, so that there could be no complaint of a want of a sufficient constituency. Some hon. Members had urged that the interests of Whitby would be adequately represented by the places in its vicinity, but they would find that there was no represented place nearer than Malton or Scarborough, and their interests were very different.

Mr. *Goulburn* certainly did not expect, among the many inconsistencies and anomalies he had heard of in connection with the Bill, to find it at last argued that a place was entitled to a Representative because its commerce and population were declining, and yet this was precisely the argument of the two hon. Members who had just spoken in favour of the enfranchisement of Whitby. There was not, however, a single point urged in favour of the enfranchisement of Whitby, which did not apply in the strongest manner against the disfranchisement of Dartmouth. In this case, the town on both sides of the river were taken in, while, in the case of Dartmouth, the town on one side of the river was entirely excluded. What could be more unfair in such a case, than to take away one of the Representatives of Dartmouth to give it to Whitby, when Dartmouth paid treble the amount of the duties paid by Whitby? He was the more persuaded that Dartmouth should not have been deprived of its Member, because its intimate connection with the fisheries of Newfoundland, rendered it the peculiar representative of that most important branch of our trade. At the time, too, when they were making an arrangement which precluded the colonies from enjoying the privileges of having a Representative in the Legislature, it was imperative on the House to take care that those places which were connected with them should not be wantonly or unnecessarily deprived of their privileges.

Lord *Morpeth* said, the argument of his hon. friend had not been fairly represented by the right hon. Gentleman. The claim made by him on behalf of Whitby did not rest upon the declining state of the place, but upon its possessing great local importance, as connected with the shipping and commercial interests. He admitted that it had, from causes of a temporary nature, undergone a diminution of prosperity, but that temporary depression was no reason for depriving it of the advantage of being represented.

Sir *Edward Sugden* said, if he were not acquainted with the subject before the House, he should have imagined, from what the noble Lord had said, that this question was, whether Whitby should be disfranchised. The noble Lord said, the House ought to take the melancholy situation of Whitby into consideration; and to consider that she would soon rise from her present depression, and, therefore, she ought not to be deprived of Representation. But was she now in a situation to receive the boon to be granted her. How the noble Lord, who had voted so frequently for disfranchisement under circumstances so exactly similar to those of this particular case, without inquiring whether or not the disfranchisement proceeded on just grounds, could come to the vote which he intended to give on this occasion, he was at a loss to conceive. Numerous places had been disfranchised in the census of 1821, without inquiring whether, since that period, they had increased in wealth and prosperity; and now, at the very last moment, the noble Lord had found out that a place ought to be enfranchised, because, though it was now in a state of decay, it might, hereafter, return to a state of prosperity. This case afforded as good an illustration of the consistency of the arguments which were advanced in favour of Reform as any that had yet come under the consideration of the House. The Bill disfranchised Dartmouth upon the very same ground, in every respect, as that on which it was proposed to enfranchise Whitby. Was there a single argument urged in favour of enfranchising Whitby, which had not been previously advanced in favour of disfranchising Dartmouth? Had not Dartmouth ships, and commerce, and great interests? Did she not represent the marine of England? Would not the shipping interests be represented by her Representatives? Had she not been, and was she not now, in a flourishing and prosperous condition? And yet, under all these circumstances, the noble Lord, finding Dartmouth in actual possession of Representation, would not allow those reasons to weigh in favour of its retaining its Representation, which he would advance and act upon for the purpose of giving Whitby a Member. The same reasons too, were urged for the disfranchisement of Reigate, as for the enfranchisement of Walsall. Some reason ought to be given for the mode of proceeding which his Majesty's Ministers had adopted with regard to disfranchisement. Nobody had, throughout these discussions, abstained more from accusations of this description than he had, but he could not help noticing the absurdity of these proceedings, though he was not in possession of any facts which would justify the charge of partiality. [*Hear! hear!*] The right hon. Secretary (Mr. Stanley) cheered that observation. He would advise the right hon. Gentleman, whenever a fair admission was made by an opponent, to meet it with derision. Members would not make such admissions in future. A reformed House of Commons would not be afraid of making an accusation against the Ministry? The Government, in a reformed House, would be obliged to hear accusations made against them. He would say, then, that he had a right to suppose that there was some reason for this disfranchisement which was not intended to meet the public view. If such principles as these were established in conceding to a popular cry and a popular clamour, how could it be expected that this would be a final or a satisfactory measure, disturbing, as it did, all the institutions of the country, and endangering all the rights of property. Those who were at the present moment in possession of property, knew that passing events were such as to endanger its security, and, therefore, the whole system of the Representation should not be altered on doubtful principles for the mere purpose of change.

Lord *John Russell* thought his right hon. friend near him was perfectly justified in meeting the hon. and learned Gentleman opposite in the way he did—with a cheer. What did the hon. and learned Gentleman do? He said, "It is very clear there must be some unfairness and partiality—some undue ground of proceeding in this case; but it is very true I cannot prove that there is anything wrong; it is very true that I had no ground whatever for saying what I did; I had not, in short, the least reason to imagine anything of the kind: but I will throw out the accusation, and take the chance of its success; if it does not make an impression here, it may somewhere else; and, being unable to prove it, I cannot be called upon to go further." If any man had proof to bring forward, he was perfectly right to make an insinuation of this kind, or if he had a case which, *prima facie*, was so strong and so extraordinary as to justify the supposition that undue partiality had been exercised, he might be justified in adopting the course which the hon. and learned Gentleman proceeded upon. What were the facts here? There were two places, one containing between 4,000 and 5,000 individuals, and the other about 9,000 or 10,000, and the one paying three times the amount of the assessed taxes of the other. The one having, certainly, considerable shipping interests, and the other having been, until very lately, the eighth port in the kingdom in point of tonnage. The small place was put on a par with other small places, by depriving it of one Member, and that Member was given to a larger place. So that the place which was nearly double the size and importance of the other, would be about as well represented as some small inconsiderable place. And this was the sort of case which the hon. and learned Gentleman considered to be so unfair, that, for his own part, he could not conceive how Government could have done this without displaying undue partiality. There certainly was nothing more easy than to make an assertion of this description, but it was not quite so easy to establish it when proof was called for. He perfectly recollected that the hon. member for Aldborough, in the course of the last Parliament, was very loud in his accusations against the former Bill, because Whitby was not included in the schedule. The hon. Gentleman came down to the House, and said, "In your second Bill you have repaired a notorious blunder, for so ignorant were you of the shipping interests of this country, that you left out of your former scheme of Representation the important town of Whitby." The hon. Gentleman did not go quite as far as the hon. and learned Member opposite; he did not accuse Ministers of partiality—he only imputed it to their ignorance. And now the hon. and learned Gentleman turned round and said, "You have displayed such gross partiality in giving Whitby Representation, that nothing can justify such a proceeding." The only objection which had been made to Whitby was its declining condition. This, however, might happen to the most important towns in this country. At the cessation of a war, Plymouth, or Portsmouth, or Dover, or Leeds, or any other place, might be for a time in a declining state. If there were to be a sudden cessation in the demand for arms, it might cause a temporary change in the situation of Birmingham. But, according to the report of the Commissioners, Whitby was a substantial sea-port town. It was true, it had diminished since 1821; so had the population of the very next borough—Whitehaven. In the year 1821, that place contained 14,000 inhabitants, but it was not said that it should not be represented because at present it only contained 12,000. The conduct of Ministers, then, with regard to Whitby, had been the same as in the case of Whitehaven. He was astonished the hon. and learned Gentleman did not say, that Whitehaven was so completely under the dominion of some person connected with Government, that on that account it had received a Member. He could not see how Ministers could be accused of partiality in the case of Whitby, unless a similar charge were made against them in the case of Whitehaven, which was one of the most important and wealthy of our shipping towns.

Sir *Robert Peel* despaired of doing anything with Whitby; the case was so very bad a one, and judging from the past, the worse the case—the larger the majority in its support. He should imagine that the noble Lord opposite would admit, that, even if he were successful in negativing the charge of undue partiality towards local interests, his success in refuting that charge would not be conclusive as to the propriety of selecting this place. During the course of these lengthened discussions no one had abstained more than he had from making accusations of partiality against his Majesty's Ministers. He wished to argue on the reason of each case, on that which was evident and notorious to all, because it was impossible for him to dive into the secret motives of the Government. But he must contend, that his Majesty's Government, when they were establishing an entirely new franchise, were under a positive obligation to put the House in possession of the grounds on which they selected one town in preference to another. They had a great privilege to bestow, and no one could doubt that, where there were various and nicely balanced claims for that privilege, the decision upon such claims ought to be carefully and deliberately made, and upon principles of impartial justice. It had been truly observed, that this was a most important consideration in another point of view. The noble Lords opposite had told the House, that it was their wish that this measure should be so far final as, at least, not to be subject to continual and annual change. It was of importance, then, that the Parliaments which succeeded the present one should be enabled to say, "we will resist the innovations which are now proposed, because, in the year 1832, an arrangement was made which was founded on the principles of equity and justice, and they shall endure at least for a time." But if the decision was made upon unjust or erroneous grounds, it was utterly impossible that the arrangement could endure for a single Session, because the new Parliament would have a right to repudiate the decision of the present, if they could show that decision to be contrary to reason or to equity. The noble Lord said, supposing towns had declined in population, there could be no reason why important interests should not be represented. This might be just with respect to such places as Portsmouth, or Plymouth, or Leeds. In an immense place, which had contained a population of 70,000, he would admit that, a small decrease in that amount was no reason why it should be unrepresented. He would admit to the noble Lord, that supposing it had decreased 10,000, the remaining 60,000 would be sufficient to induce the House to give the place Representation, conformably to the principles of this Bill; but a place which contained no more than 7,000 inhabitants, ought not to acquire a new right in preference to other places, much more populous and flourishing. Would the noble Lord have the goodness to look to the return of the population of Whitby for the year 1831. The population of Whitby at that period was 7,765, and the amount of assessed taxes paid by it 869*l*. That was the claim the town of Whitby had to Representation. It was no answer to say—"Oh, I am going to include a great district in the neighbourhood, which will swell the population up to 10,000." The question was, what claim the town of Whitby had, not the adjoining parish or district? How could this case be defended on any one assignable principle? How was it to be reconciled with the case of Dartmouth? If it was really of consequence to define the comparative importance of the places on which disfranchisement should fall, why should not the same principle be applied to the places which were to be enfranchised? Apply Lieut. Drummond's calculation to towns that will remain unrepresented; take their population and the amount of their assessed taxes, and many will be found with claims superior to those of either Whitby or Walsall. On what principle was Whitby to have a Member? Was population the test? How did that agree with Merthyr Tydvil? Were the shipping interests the test? The House were about to give two Members to Liverpool, two only to Toxteth Park and Liverpool united. Would any man deny that the shipping interests would be better represented by three Members to Liverpool, than by a separate one to Whitby? But, supposing he was told, "We think it right that Yorkshire should have another Member. We will compare the number of Members for the county of York, with the population, and on this ground we will exclude Merthyr Tydvil and Toxteth Park, and provide an additional Representative for Yorkshire." If he was met with this assertion, he would ask, why then was Whitby chosen, in preference to Doncaster? Whitby had a population of 7,765, and paid 869*l*. in assessed taxes. Doncaster had 10,801 inhabitants, and paid 3,520*l*. in assessed taxes, just four times as much as Whitby; and if you were to act by Doncaster as you did by Whitby, and incorporated with it the neighbouring villages, he would undertake to make it ten times the size of Whitby. On any one of the tests which had been established, he could discover no claim Whitby had to Representation. But the House was told it had fishing interests. The fishing interest was to have a Member. This accounted for the boundary assigned to the new borough of Whitby. He entreated Members to refer to the volume of boundaries. They would find the boundary of the borough of Whitby a great curiosity; it included a large slice of the German ocean, which might abound with fish, but could have no 10*l*. householders. The boundary was unintelligible to him before, but the fishing interest explained it all. But the noble Lord asked "Why will you bear so hard on this unfortunate place, why will you aggravate its misfortunes, why refuse to enfranchise it when it is suffering under a decrease of its trade and population? When did the title of Whitby to be thus represented arise? Had the noble Lord such respect for prescription as to advocate the cause of Whitby because it had stood in this Bill for some six months? Was this the ground upon which the House was asked not to bear hard upon this place when it was suffering under a state of decay? Why, this might be a good argument if the title of the place were as ancient as that of the noble Lord; but not a word about prescription was heard in favour of Dartmouth. The actual possession of centuries was disregarded, in the case of Dartmouth, but Whitby with its imperfect title of six months, must be protected in this instance. There really never was a case so utterly destitute of any foundation whatever as this one of Whitby. To sue on behalf of a place in *forma pauperis*, to claim Representation for it, because its trade and assessed taxes had decreased, appeared to him so inconsistent with the principles of this Bill, but above all, so well calculated to cause an alteration in the Bill in the very first Session of the next Parliament, that he hoped the noble Lords would consent to select Toxteth Park or Merthyr Tydvil, and allow the borough of Whitby to retire with a good grace, and with that general sympathy which was due to its decaying trade and decreasing population.

Lord *Althorp* said, it certainly was right to ask why Whitby was to have an additional Representative, and it would be in the recollection of the House, that, in the last Session, great objection was taken to the omission of Whitby by the hon. Gentleman, the member for Aldborough, who had accused Ministers of having been guilty of an oversight in neglecting its claims. The grounds upon which it was proposed to enfranchise Whitby were these: 1st, the amount of its shipping interests; 2ndly, the fact of its not being near any enfranchised place; and, 3rdly, because it was thought desirable to increase the Representation of that part of the county of York. With respect to the objection in the case of Doncaster and others, he contended, that in manufacturing and commercial towns mere payments of assessed taxes were not always to be taken as a fair criterion of their relative importance. For example, Brighton and Cheltenham paid large sums in assessed taxes, and, though their size made them of importance, it was objected that the taxes they paid did not prove them to be of either manufacturing or commercial importance. With respect to the comparative importance of Dartmouth and Whitby, it should be remembered, that the former stood 12th on the list in point of shipping, while the latter stood the 9th. It was, therefore, superior to Dartmouth, and it ought to be represented, because no other port in that part of Yorkshire was represented.

Mr. *Goulburn* contended, that Ministers having sturdily refused to take the population of both sides of the Dart to save Dartmouth, were guilty of an egregious inconsistency, when they included the population of both sides of the Esk to enfranchise Whitby. But the noble Lord said, the amount of assessed taxes was a fallacious criterion in manufacturing and commercial towns. Perhaps it might be so, but in enfranchising or disfranchising places, the relative importance of the peculiar interests attached to them must, undoubtedly, according to the noble Lord's own principles, be considered. Looking to this test, in the cases of Whitby and Dartmouth, he found that the former possessed 250 ships, the latter 370. He would admit, that the smaller number contained the greatest tonnage, but then they had been built in the war time for a particular purpose, and were now no longer used. As to the building of vessels and the employment of them in the whale fishery, both these branches of trade had left Whitby; the building had departed to Sunderland, and the fishery to other parts; then as to the revenue contributed to the purposes of the State. Dartmouth paid treble the amount, arising from Customs contributed by the town of Whitby. If, therefore, Dartmouth was to be disfranchised, and Whitby to be enfranchised, it would give rise to the idea that there was some other motive for giving the preference to the latter, besides that of its comparative importance.

Mr. *Hodgson* said, the argument of the right hon. Gentleman might be worth something, if Dartmouth was to be wholly disfranchised, which, however, was not the case, for it was to retain one Member. He contended, that Whitby was a port of as much importance as Dartmouth, and equally deserved a Member; it would be a most unjust proceeding, if, on account of a temporary depression in the profits of the ship-builders of Whitby, that town was to be left unrepresented.

Mr. *Croker* could not help noticing the inconsistency of the arguments used by those who were favourable to the Bill. One day a river was to be an impassable boundary between two parts of a town, and the next day it was a most complete medium of communication, according as the argument suited the proposition before the House. Taking it from the noble Lord's own statements, founded on Lieutenant Drummond's calculations, they had the extraordinary fact that, of twenty-six towns not enfranchised, the two lowest should be selected by Ministers for the purpose of receiving the elective franchise.

Mr. *Strickland* repelled the accusation of favouritism towards Yorkshire, which was under-represented in comparison with Durham and other counties. It could only be the fear of making too great a change that prevented Ministers from giving more Members to Yorkshire.

Mr. *Hunt* said, it would be necessary to explain why Doncaster should not have a Member as compared to Whitby. Doncaster was a sporting place of great celebrity, and he was sure as such that the hon. members for Yorkshire would at least vote for its having a separate Member.

The Committee divided, on the question that Whitby stand part of schedule D: Ayes 221; Noes 120—Majority 101.

Schedule D agreed to.

The Chairman then read schedule E. The propositions for Amlych, Holyhead, and Llangefni sharing with Beaumaris;

Aberystwith, Lampeter, and Adpar, sharing with Cardigan; Llanelly sharing with Caermarthen; Pwllheli, Nevin, Conway, Bangor, and Cricceith sharing with Caernarvon; Ruthin, Holt, and Town of Wrexham sharing with Denbigh; Rhyddlan, Overton, Caerwis, Caergwrley, St. Asaph, Holywell, and Mold sharing with Flint—were agreed to without any observation.

On the Motion for Cowbridge, Merthyr Tydvil, Aberdare, and Llantrissent sharing with Cardiff,

Lord *James Stuart* said, that he could, by no means, reconcile this union with the other principles of the Bill, for he had observed, that places of much inferior importance to either Merthyr Tydvil or Cardiff had Representatives to themselves. The only reason assigned for this difference was, that they were situated in the principality of Wales. He did hope, however, the case of Merthyr Tydvil, at all events, would be re-considered.

Mr. *James L. Knight* said, if some alteration was not made with regard to this union, he should certainly move an Amendment to it when the Report was brought up.

Lord *Milton* agreed with the hon. Member, that justice was not completely dealt out to Merthyr Tydvil, and, therefore, he did trust that some arrangement would be made by which that place would have a Member exclusively allotted to it.

Question agreed to, and schedule E agreed to.

On schedule F, relating to the division of counties, being read,

Mr. *Pigott* said, he believed this was the proper moment for moving the Amendment of which he had given notice; and, if he had previously any doubt on the propriety of pressing it on the Committee, that doubt would have been removed by the remark of the hon. member for Staffordshire, who had said, that the importance of certain places might be in the inverse ratio of the amount of their taxation. He had a high opinion of the ingenuity and statistical information of that hon. Member; but still he must say, he looked with some curiosity for his explanation of this paradox. The amendment he intended to propose was, "that in determining the relative importance of the counties which were to have an addition to their Representation, the test of houses and assessed taxes should be taken in lieu of that of population adopted by the Government." His reasons for proposing this change were—first, that he considered houses and taxes a more just test of the importance of a county, than mere population, and next, that Government had recognized its superiority in the case of the disfranchised boroughs. In the parliamentary paper laid on the Table of the House on the 15th of December last, Lord Melbourne informed Lieutenant Drummond, that the Government had determined to found the Reform Bill on a new basis; and this basis he wished to see universally applied. By it, however, schedules A and B were reconstructed, and boroughs were subjected to disfranchisement, which, under the former Bill, escaped; whilst, on the other hand, some boroughs, which had been condemned, were now omitted. He was aware, that the noble Lord, the Chancellor of the Exchequer, had modified this basis, when he declared, what, indeed, was sufficiently obvious, that this rule was not regarded in enfranchising large towns. He should certainly not undertake to reconcile the inconsistencies of the Bill, or of the noble Lord, nor to explain why that which was a good test of the importance of a town of 4,000 inhabitants, was a bad one of that of 10,000. It was sufficient for his argument, that in an essential part of their Bill, the Government had recognized the superiority of the test he was now advocating, by substituting it for that which, in two previous Bills, they had adopted; he moreover asserted, that if there was any one of the schedules to which it ought preferably to have been applied, it was that which they were about to enter upon. He had the authority of the two noble Lords opposite themselves for his assertion, who, during the whole course of these discussions, had repeatedly declared, that it was their object to make the Representation of towns a Representation of population, and give to that of counties the character of a Representation of property. He was, therefore, wholly at a loss to conjecture what substantial objection could be made to a proposal, so entirely consistent with the principle of the Bill. It could not be opposed on the plea of delay, or expense, for nothing further would be required than a calculation, which might be made in an hour. Neither could it be said that the change was unnecessary, because the result would not be the same as that now produced; for he was prepared to show, that if his amendment was adopted, several counties would change their places upon the list; that, on the verge, Durham and Cumberland would respectively rank below Berks and Herts, and that Cumberland would be entirely excluded from schedule F. With respect to that county, the last in that schedule even on the score of population, it was certain that if its importance was measured by any other test, it must be altogether excluded from it. If the test which he now proposed was adopted in that county, instead of being 25th in the list of English counties, it would stand the 30th; if the amount of its assessed taxes alone, was the 32nd; if the number of its 10*l.* houses, the 29th, if real property as assessed in 1815, the 26th; if they applied Lieutenant Drummond's rule to 10*l.* houses and assessed taxes, the result would be, that the counties of Durham, Cumberland, and Northampton, in place of four would have three Members, and that Herts, Berks, and Oxon, three agricultural counties, would take their places. He was fully of opinion, this last would have been the most fitting test, the justest measure of the real relative importance of the counties of England; but he was deterred from proposing it by the consciousness that a Member of so little weight as himself could only hope to succeed by showing that his proposal was in strict conformity with the principle of the Bill. He would now come to the most important point of this question, and he thought he should be able to show, that if, on the ground of reason and consistency, his Amendment ought to be adopted, on that of expediency its adoption was more loudly called for. As they were about to destroy the proportions of the Representation of the three kingdoms as established at the two Unions, to abolish the distinctive Representation of Scotland, and recast the Representative system of the whole empire generally, so long as population was made the sole test by which the claim of counties to additional Representation was decided, he did not see how it was possible, by any just reasoning, to disprove the right of Ireland to additional Representatives. If Cumberland was to have four Members, and Berkshire only three, simply because the population of Cumberland a little exceeded that of Berks, although it could be shown, that by every other test of importance, Berkshire ought to have the preference, how could the claims of Tipperary, with twice, and of Cork, with four times the population of either, be disregarded? There were no less than nineteen Irish counties with a greater population than Cumberland, and he saw no method of evading the difficulty which they must create, but by adopting some other test than that of population. If Cumberland was the only obstacle in the way of his Amendment, if the test of population was to be retained with the sole view of keeping that county in schedule F; he was prepared to show, that even on the score of population, it ought to have no place there. One of the alterations in the old system, effected by the Reform Bill, which he entirely approved of, was, that by which no individual could vote twice in virtue of the same tenement. Departing from this principle, it would be obviously a gross inconsistency in estimating the claim of any particular county to additional Representatives (on the score of its population), to take into calculation a population already represented. Accordingly it appeared, that, in dividing the counties which were to have four Representatives, the Government Commissioners had proceeded upon this principle; and in the Report of Mr. Shaw Lefevre, laid upon the Table of this House, that Gentleman said, "I wished to divide each county into two parts, equal in extent, equal in population, and equal in the number of voters contained in them;" and further on—"I have set down what may be considered the county population of each district, that is, the population, exclusive of the population of the towns which are to send, or to continue to send, Representatives under the provisions of the Reform Bill, and which towns for convenience sake, I have styled Representative towns." The total population of Cumberland was 168,697; represented population, 42,825; unrepresented population, 125,872; whilst the unrepresented population of Hertfordshire and Dorsetshire exceeded 133,000 and and 132,000. He therefore moved, that in determining the counties which are to send three or four Members respectively to Parliament, the number of houses, and the amount of assessed taxes for the year ending April, 1831, be taken as the test of their relative importance.

Mr. *Littleton* was at issue with the hon. Member on the principal point to which his remarks had been directed; he had frequently maintained before, and he did so now, that though it was impossible to discover any better test of the relative importance of towns than the compound test of houses and assessed taxes, this criterion was utterly inapplicable to counties. The counties of England differed as much in character as it was possible to conceive. Some had a rural population; others a manufacturing population; and in others, again, the population was of a mixed character. If the test of houses and assessed taxes were to be applied to counties, the importance of the manufacturing counties would be underrated, and that of the agricultural ones would be exaggerated. He would endeavour to illustrate his argument by reference to certain counties. The population of Berkshire, which was an agricultural county, was 145,289, and it paid in assessed taxes the sum of 51,448*l.* The population of Sussex, which was also agricultural, and notoriously one of the poorest counties in England, was 272,328, and it paid in assessed taxes 95,625*l.* The population of Hertfordshire, was 143,341, and it paid in assessed taxes, 47,141*l.* He would now turn to some of the manufacturing and mining counties, such as Derby, Durham, Cumberland, Stafford, Leicester, and Chester. The population of Cumberland, was 169,000, and its assessed taxes, 21,807*l.*; the population of Derbyshire, was 237,170, assessed taxes, 34,590*l.*; the population of Durham, was 253,827, assessed taxes 32,178*l.*; the population of Leicestershire, was 197,000, assessed taxes 40,727*l.*; the population of Staffordshire, was 410,485, assessed taxes 60,732*l.* He would not occupy the time of the Committee by entering into any further details; he trusted that he had already done enough to establish his position, that if the relative importance of the counties to Representation, was to be decided by the amount of assessed taxes which they paid, then the poor county of Sussex would obtain a superiority over Staffordshire, which, besides its mines and manufactures, possessed canal interests to the amount of 3,000,000*l.*, and iron interests to nearly the same amount. The compound list of houses and assessed taxes would be equally inapplicable to the enfranchised boroughs. If they took twelve persons in Wolverhampton and Sheffield, and compared the amount of assessed taxes paid by them, with the amount paid by twelve other persons in Chichester, the last place tried by that test would appear to have the superiority: but nobody would seriously think of maintaining, that Chichester was better entitled to representation than Wolverhampton or Sheffield. The result of the calculations he had made by applying the test of houses and assessed taxes to counties, was not the same as that at which the hon. Member had arrived. According to his calculation, Monmouthshire would lose three Members, and Bedfordshire would gain one. He must say that, of all counties, Bedfordshire was the most hardly used. It was superior to Monmouthshire in population, and in the amount of property and assessed taxes: it was inferior only in respect of the number of houses. He thought the manner in which Bedfordshire was treated by the Bill, afforded a striking proof of the disinterestedness of the noble Paymaster of the Forces. Cumberland was inferior to Berkshire only as to the amount of assessed taxes. In every other element of Representation Cumberland was greatly superior to Berkshire. The hon. Member had not at all alluded to one important auxiliary test, by which the relative importance of counties, and their fitness for Representation, ought to be estimated—he alluded to the poor-rates. The poor-rates of Cumberland were 44,000*l.*, whilst those of Berkshire amounted to 105,000*l.* Upon the whole, he was of opinion that no better test could have been taken than that which the Government had adopted, and to which he trusted they would continue to adhere. If the documents to which he had referred were correct, as he fully believed them to be, full justice had been done to every county included in the Bill.

Mr. *Best* could not agree with the last remark of the hon. Member: he thought that justice had not been done to Dorsetshire. That county was not 10,000 less in population than Cumberland, and paid more than double the amount of assessed taxes. He did not wish to deprive Cumberland of the additional Member; but he would maintain that Dorsetshire had as good a claim to one. When the next schedule came under consideration, he would call the attention of the Committee more particularly to the point.

Sir *Thomas Freemantle* said, the hon. member for Staffordshire, in replying to the observations of the hon. Member who had moved the Amendment, had spoken only of assessed taxes; whereas the hon. mover advocated a compound test of houses and assessed taxes. The hon. member for Staffordshire said, that it would be improper to apply the test of houses and assessed taxes to the enfranchised boroughs; and, to illustrate his argument, he referred to the towns of Wolverhampton and Chichester, in order to prove that the test would act unequally upon them; but there was quite as much inconsistency in applying the test for enfranchisement generally to the boroughs in schedules C and D: he thought that Berkshire was treated very unfairly. The hon. member for Staffordshire did not reply to the argument of the hon. mover of the Amendment, that, upon the principle of unrepresented population, even Berkshire was superior to Cumberland. In calculating the county population, the represented population of towns ought to be omitted: if that was done, the unrepresented population of Berkshire was greater than that of Cumberland. There was another remark applicable to the mode in which the hon. Member managed his argument: he had compared the amount of assessed taxes paid by the poor county of Sussex to those of the rich county of Stafford. It seemed, by his own showing, that the poor county paid by far the largest sum. Did it not, therefore, strike the hon. Member that the burthen of assessed taxes was very unequally imposed? Surely the mines and canals of the richer county ought to be assessed, as well as the houses of the poorer, when the property invested in such mines and canals was made use of as an argument for giving it additional Representation. Under these circumstances, he really thought that it would be much fairer to adopt the test proposed by the hon. Member.

Colonel *Sibthorp* said, that, throughout the Bill there was nothing but inconsistency—provisions founded on neither justice nor reason. He wanted to see it proved quite satisfactorily on what grounds the Government proceeded: he, therefore, thought the discussion ought to be postponed. Such a measure ought not to be decided by the House at that late hour, when it was principally composed of Members who merely dropped in and decided the question, without having heard a single observation upon it. He observed the House was very impatient, and would, therefore, conclude by stating that, under all the circumstances, he would proceed no further; but, with regard to the conduct of the hon. Members who had given utterance to their dissent from his opinions, he must observe, that

> "Want of decency is want of sense."

Lord *Althorp* said, that, considering all the circumstances of the case, population appeared to afford the best test for ascertaining the importance of the counties. He was quite certain that no other could be applied with any degree of fairness and propriety, so far as the English counties were concerned.

Mr. *Croker* contended that population was a very imperfect and variable test of importance.

Mr. *Pigott* would only remark, that the noble Lord had left a large opening for the Irish Members to urge their claim to additional Representatives for these counties, by his having openly asserted that it was the sole test to be applied to the English counties, to entitle them to additional Representation. Under all the circumstances, however, he would beg leave to withdraw his Amendment.

Amendment withdrawn.

The question was then put, "that Cheshire stand part of schedule F."

Mr. *Croker* said, that he should take another opportunity of speaking on the points of this schedule.

The following counties were then ordered to stand part of schedule F 1—that is, each to return four Members:—

Cheshire, Cornwall, Cumberland, Derbyshire, Durham, Devonshire, Essex, Gloucestershire, Kent, Hampshire, Lancashire, Leicestershire, Norfolk, Northumberland, Northamptonshire, Nottinghamshire, Shropshire, Somersetshire, Staffordshire, Suffolk, Surrey, Sussex, Warwickshire, Wiltshire, Worcestershire.

Schedule F 2—Counties to return three Members each.

It was agreed to, without opposition, that the following counties should stand part of schedule F 2:—

Berkshire, Buckinghamshire, Cambridgeshire, Dorsetshire, Herefordshire, Hertfordshire, Monmouthshire, and Oxfordshire.

Mr. *Best* complained, when Dorsetshire was put from the Chair, that, though that county was more extensively agricultural than Cumberland—there being 14,000 agricultural labourers in the former, and but 11,000 in the latter—yet Cumberland was to return four Members, and Dorsetshire but three.

Lord *Althorp* said, that, besides the fact of Cumberland's containing upwards of 150,000 inhabitants, Dorsetshire at large would return more Members, there being more boroughs in it, than Cumberland.

Mr. *William Bankes* looked upon the argument of the noble Lord as a proof confirmative of the necessity of adding to the County Representation of Dorsetshire; for, if the Town Representation was so strong in that county, the stronger was the necessity of strengthening the agricultural Representation.

Mr. *Stuart Wortley* said, that although he had allowed this schedule to pass without observation, he was as much opposed to its principle as to the principle of schedule B.

Mr. *Croker* had objections arising not only out of this principle, but also to its application, which he should state at another opportunity.

On the Motion that Schedule G, relating to cities and towns and counties at large, in which cities and towns thereof are to be included, stand part of the Bill,

Mr. *Croker* begged leave to take advantage of that occasion, to, once for all, protest against the clause under which town and borough freeholders were to have a vote for the county Representatives, as the most mischievously objectionable of the whole Bill, and as that which every sober Reformer must disapprove of.

Lord *Althorp* said, the effect of this arrangement would tend to diminish the number of voters for counties, because those who got a vote in right of their borough freeholds would not, at the same time, have a claim for their county freeholds. It would effect a diminution of the voters for counties, and tend to reduce the influence of towns in the election.

Mr. *Croker* said, if the boroughs were to be left just as they stood, and there were no other freeholds in possession of the party, then the noble Lord would be perfectly right; but when a right to vote for 10*l.* dwelling-houses was given, there were few people in those towns who would not contrive to have a 40*s.* freehold. A man would have a vote for his House in the town, and, by having a stable, or some other 40*s.* freehold, he would obtain a vote for the county. When this was brought into practice, therefore, particularly in towns, where there was a large circle of rural population (for it would be the object of all persons connected with a town returning Members of its own, to throw as many of their population into the county to vote for it as possible) its ill effects would be seen. He was convinced, that these provisions would do more injury than any other part of the Bill.

Lord *Milton* said, the Bill endeavoured to exclude these freeholders from voting for the county; but the right hon. Gentleman said, that, by living in a house, a party would obtain his right of voting from that house, and would also possess himself of a barn, or stable, which he would get registered as for the county, and, by this, also have a vote for the county. There was really nothing new in that: it was the case at present. Many persons had a vote for the house in which they lived, as a freeholder of the county, and in a town where they resided, as a scot-and-lot voter. The effect of this provision would be, to confine his vote for the freehold within the borough, provided he was resident.

Mr. *Goulburn* said, the noble Lord did not seem to understand the case. The complaint was, that the Bill allowed all freeholders under 10*l.* per annum, resident in boroughs, not to vote for those places, but for the counties in which they were situated, and the effect of that would be to cause the greater part of the populace of those towns, by the means of nominal freeholds, to vote for the county, by which they would overpower the rural freeholders.

Sir *Thomas Freemantle* said, if any one of the larger towns was taken, the argument would be clearly good. For instance, the freeholders of Birmingham would have sufficient influence to return one of the Representatives for the county of Warwick, besides which, they would have votes for the Representatives of Birmingham as 10*l.* householders; thus having a share in the return of three Representatives. He was perfectly satisfied that, by giving freeholders the right of voting for counties, they having, at the same time, their right to vote for towns, would allow them to obtain a double right.

Mr. *Wrangham* also looked upon this as a question of great importance, and inferior to none in the Bill.

The following places ordered to stand part of schedule G:—Carmarthen, Carmarthenshire; Chester, Cheshire; Coventry, Warwickshire; Gloucester, Gloucesshire; Kingston-on-Hull, East Riding of Yorkshire; Lincoln, Lincolnshire; London, Middlesex; Newcastle-upon-Tyne, Northumberland; Worcester, Worcestershire; York and Ainstey, North Riding of Yorkshire.

House resumed—Committee to sit again.

SUGAR DUTIES.] Upon the Order of the Day being moved for receiving the Report of the Committee of Supply on the Sugar Duties Resolutions,

Mr. *Keith Douglas* appealed to the noble Lord, the Chancellor of the Exchequer, whether or not it would not be fair, now that he had stated his intention to propose some fiscal measures with reference to the West Indies, to state what the nature of those measures was.

Lord *Althorp* said, he was not prepared to state those measures until he was ready to propose them to the House.

Mr. *Burge* said, that the conduct of those connected with the colonies with reference to the sugar duties would materially depend upon what the measures of relief would be. It was unfair to call upon the House to vote the duties upon a promise of relief, until they knew what the relief was to consist of.

The Marquis of *Chandos* put it to the noble Lord, whether, in the present state of the colonies, such a question should be proposed, at that hour of the night.

Mr. *Robert Gordon* urged the postponement, and said, he hoped his Majesty's Government would not be the only persons who failed to show some sympathy in the distress of the West-India colonies. He knew it was a difficult matter for the Government to come at once to any mode of relief; but he felt, that, if relief was not quickly afforded, the colonies must be lost. An attempt had been made to afford assistance by the medium of Bills, but those Bills had been protested, and, therefore, some other means must be found. He wished not to make any factious opposition to the Government, but he did trust, that the Government would not appear to be the only persons who did not sympathize with the distress of the West-Indies.

The Marquis of *Chandos* protested against being thought to offer a factious opposition. Considering the importance of the subject, and the small majority of the Government, he thought it ought not to be pressed forward at such an hour.

Sir *Thomas Freemantle* had decidedly understood, that the Vice-President of the Board of Trade had plans of relief prepared, and, therefore, he thought they ought not to be longer delayed. It was of the utmost importance, that relief should be quickly afforded.

Mr. *Irving* thought it was of great importance that the noble Lord should take the earliest opportunity possible of making known his plan of relief. He did not wish, at present, to press the noble Lord for that statement. He would, however, take that opportunity of stating to the noble Lord, that any plan of relief would be rejected with indignation and scorn, if clogged with any such conditions as had been hinted at by the noble Lord.

The following Resolution reported:—

"That, towards raising the supply granted to his Majesty, the several duties on sugar and molasses, imposed by an Act of the first year of the reign of his present Majesty, and the bounties granted thereon, shall be further continued, until the 10th day of October, 1832."

Bill to be brought in.

HOUSE OF COMMONS,

Saturday, March 10, 1832.

MINUTES.] Petitions presented. By Mr. JOHN SMITH, from the Inhabitants of Newport Pagnell, in favour of the Factories Bill:—By Mr. HUME, from Birmingham, Bethnal-green, and three other places, in favour of the Reform Bill.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — LAST DAY.] The House, on the Motion of Lord Althorp, went into a Committee on the Reform of Parliament (England) Bill.

Lord *Althorp* suggested certain amendments in the 57th clause, which were agreed to, and the clause adopted.

Schedule H, which regards the forms of lists applicable to counties agreed to; as were schedules I and K.

The postponed clause, regarding the remuneration of Barristers, was adopted without remark: it was fixed at five guineas per day, independent of travelling expenses.

Lord *Althorp* then proposed an Amendment to the 68th clause, with an accompanying schedule, marked L, in order to provide for the possible demise of the Crown, and the consequent dissolution of Parliament before a Bill could be passed for finally fixing the limits of boroughs to be affected by the Bill. His Lordship observed that the schedule L settled those limits only temporarily; but he might state, that, in the Bill hereafter to be introduced, the limits would, in nearly every instance, be the same.

Sir *Charles Wetherell* thought no Gentleman would willingly have supported a proposition which would have had the effect of preventing his Majesty from dissolving Parliament, and, therefore, the proposed arrangement was an improvement on that of the former Bill. With reference to the clause, he was convinced that the noble Lord had several difficulties to contend with, and the course he had adopted was very objectionable. The clause admitted, that, before a new Constitution could be established, a Bill must be passed to fix the boundaries of the boroughs to be created, as well as those already in existence, and to provide for the division of counties. Of course the registration could not take place until all these facts were determined; the clause, therefore, assumed that certain persons were to have the right of voting in certain places. They were to have the same right as if the lists of voters were already in existence. This would lead to the greatest confusion at the polling places; questions would arise as to the value of the Houses which would entitle the occupier to a vote, and there was no tribunal to determine the question. The noble Lord, by means of this clause, cooked up a number of temporary boroughs with imaginary boundaries, and these boroughs were to send the first Members under the new Constitution. He most strongly objected to this intermediate state of existence, until the Boundaries Bill had passed, and the registers were completed.

Lord *Althorp* was ready to allow that there was much force in the objections taken by the hon. and learned Gentleman. He was aware that objections did exist to the present proceeding, but in the choice of difficulties, he thought he had adopted the least in proposing the present clause. The hon. and learned Gentleman thought it would be better should a general election occur previous to the passing of the Boundaries Bill, that the present system should be continued; that is, that the Reform Bill should be a dead letter, until all the measures connected with it should have been completed. Nothing could be more unsatisfactory to the people of this country than the adoption of such a course. A Bill was to pass the Legislature, declaring that the Constitution of the House was such that a great change was requisite, yet they were to declare that the present system was to continue for some time longer. He agreed with the hon. and learned Gentleman, that there was some difficulty in the present course; but the evil would be increased, in the greatest degree, by adopting the course he recommended. The hon. and learned Gentleman stated objections of such a nature as to shew the absolute necessity of registration. He very truly stated, that the questions which might arise under the Reform Bill would have to be decided before the Barrister at the polling place, and that such a course would lead to confusion. He admitted this; but it was an evil of the existing system. In case of dispute, the Returning-officer was obliged to go into an inquiry as to the right of the person claiming to exercise the franchise. The clause, therefore, only allowed so much of the present system of voting to continue in operation for a short time longer. It was extremely improbable that a dissolution of Parliament would occur between the passing of the Reform Bill and the passing of the Boundaries Bill, though, if it should, the evil would, undoubtedly, be great, though not greater than that which occurred at present in any place where there was a contested election. As to the division of counties, if the Boundaries Bill did not pass previous to a dissolution of Parliament, the elections for the counties would be conducted in the same manner as at present. In those counties which were to have four Members under this Bill, the Representatives would be elected as they now were in Yorkshire. The only change in the present mode would be, that it gave an enlarged number of Members to an increased constituency. He would merely add, that he begged the Committee to recollect that this clause was only a provision for a very improbable event, namely, a dissolution of Parliament occurring between the passing of the Reform Bill and the passing of the Boundaries Bill.

Sir *Charles Wetherell* could not concur in the opinion of the noble Lord, that it was such an extremely improbable event that a dissolution should occur between the passing of the Reform Bill and of the Boundaries Bill, and he feared that the difficulties would be infinitely greater in such a case than the noble Lord seemed to anticipate. In all corporations, for instance, householders were to have the right of voting under this Bill, when, at present, only freemen vote. Now, lists of the freemen were kept, and there would be little difficulty, beyond identifying them, in determining the right; but, in the case of the householders, the question growing out of the value of the houses must be determined by the returning officer. Again, in scot-and-lot boroughs, every householder had a right to vote, without reference to the question whether the house he occupied was worth 10*l.* or 5*l.* In scot-and-lot boroughs the present mode of voting was abandoned, and the substitute there provided was one of value which was difficult to be determined. As to the counties, he did not think the evil of the course proposed was very great. He should not oppose the plan of the noble Lord. He repeated now what he had often said before, that this Bill would soon be unpopular in large scot-and-lot places, like Westminster, where it would disfranchise so many persons.

Amendment agreed to.

Upon the question that the clause stand part of the Bill,

Sir *Charles Wetherell* said, that, by the clauses lately introduced in the Bill, the whole representative body would be placed for some time to come in a state of purgatory. He had often heard it said, that the Members of that House were corrupt, and perhaps it might be desirable to put them in a state of purgatory to purify them; but, by the Bill, the constituent body would be placed in purgatory also. In his opinion, the clause now under discussion was unjust, both to the old and the new constituent bodies. In the event of an election inextricable confusion must prevail, for he defied any returning-officer or assessor to say who should or should not be admitted to vote. He had the most decided objections to the principle of the clause, but, in the present state of the House [the hon. Member was surrounded by only a very few of his friends], he could not think of asking the purgatory Members to go to one side, and the anti-purgatory to the other, but should content himself simply with protesting against the clause.

Lord *John Russell* reminded the hon. and learned Gentleman that none went to purgatory but those who were to arrive hereafter at paradise; and if both Representatives and constituents were to remain for six months in purgatory, with the blessed prospect of paradise before them, he did not think they had much reason to find fault. He admitted that, in the event of an election before the Boundary Bill was passed, there would be a good deal of obstruction and delay in taking the poll; but he did not apprehend that it would lead to any such inextricable confusion as the hon. and learned Member seemed to think.

The clause agreed to.

Schedule L was adopted.

The question on the preamble of the Bill was carried *sub silentio.*

The House resumed, the Report was received and read *pro forma,* and ordered to be taken into further consideration.

CHOLERA—PRECAUTIONARY MEASURES (SCOTLAND.)] The *Lord Advocate,* in moving for leave to bring in a Bill to alter and amend the bill that lately passed for the prevention of Cholera in Scotland, begged to say a few words as to its object. In order to meet the expense incurred under the former bill in Scotland, it was expedient to establish a cess: and though this was known when the Bill was passing through the House, it was deemed advisable to omit any provision of that sort then, in order that further time might be afforded for the purpose of considering in what way that cess might be most judiciously effected. It was quite clear that, in order to make a just and equitable cess, recourse must be had to some standard of value that should refer to all alike; and, in the Bill that he now moved to introduce, he had endeavoured to attain that object; but should it be found that he had not entirely overcome all the difficulties, he trusted that allowance would be made for the intricacy of the subject, and for the very short notice at which he had been obliged to bring the question forward. If, indeed, the present Act were to be a permanent one, he should have many misgivings on the subject; but when he considered that it would, as he hoped, be very temporary in its operation, and that it was only introduced for the purpose of meeting a great and pressing calamity, he trusted that the measure would not be scrutinized with too jealous an eye, but that it would be adopted in the spirit in which it is intended; especially as it was not by any means meant that it should form a precedent for a cess in Scotland.

Sir *William Rae* had no intention to throw any obstacles in the way of the present Bill; but he must still say, as he had on a former occasion stated, that, in his opinion, the better course would have been to have left the matter entirely in the hands of the Privy Council. He would also take this opportunity of observing, that he felt disappointed at the selection of persons made for the Board in Scotland. It was understood that the matter was to be intrusted to the care of persons of high and responsible station; and he had, therefore, been surprised to observe the appointments made on party principle. When this matter was formerly before the House, the learned Lord certainly gave an assurance that this should not be the case, and yet he found that several eminent men were omitted who, he had no doubt, would have willingly afforded their assistance, and those persons were selected who were known to be violent party men. He must also state his opinion that much might be done in Scotland by voluntary contributions, which would, in a great degree, prevent the necessity of a compulsory assessment.

The *Lord Advocate* said, the only ground on which the choice was made was, to look to those who had been most active in their exertions, as well as most successful. He assured the House it was on those grounds alone that the selection was made; he, therefore, very much regretted to hear that it was supposed they had been actuated by party feelings in such appointments.

Mr. *James E. Gordon* said, the great officers of state ought to have been appointed to the Board, and it was a great oversight not to have placed the Lord Provost of Edinburgh among its members.

The *Lord Advocate* said, the objection to the appointment of that gentleman was, that his was an office of limited jurisdiction, and, as the authority given by this appointment would extend throughout Scotland, it was thought there might be some objection to confounding a limited with an unlimited jurisdiction.

Leave given.

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HOUSE OF LORDS,

Monday, March 12, 1832.

MINUTES.] Bills. Read a second time; Army; and Marine Mutiny.

Motion. On the Motion of the Archbishop of CANTERBURY, it was ordered that the Bishop of Winchester be requested to preach before the House on Wednesday the 21st of this Month, the Day appointed for a General Fast.

EDUCATION (IRELAND).] The Archbishop of *Armagh* said, he rose for the purpose of presenting to their Lordships three Petitions against the proposed system of National Education in Ireland. The first was signed by 6,900 Irish Protestants, of all religious denominations, including one Archbishop, two Bishops, and many dignitaries and highly respectable clergymen of the Established Church. The second was from the clergymen and laymen of the county and city of Waterford, and was signed by the Bishop and Dean of Waterford. The third was from the inhabitants of the parish of Boviva, in the county of Londonderry. These petitions, which, he considered, deserved the serious attention of their Lordships, in addition to those already laid on their Table, would serve to convey the sentiments which were entertained, not only by Protestants of every class, but by members of the Established Church, in regard to the new plan of national education, so far as its principle had been announced, and was understood in Ireland. He had no desire to renew the lengthened discussion which took place on a former evening, when petitions of the same import were presented by a noble Lord. He must, however, beg leave to make one or two observations calculated to remove any erroneous impression which might have arisen from the part he took in that debate, with reference to what had been adduced from the reports of former Commissions, and mainly relied on as a precedent. He wished to observe, that it had not hitherto been found practicable to act upon those reports, and that two of his Majesty's Commissioners formally entered their protest against the report of 1826, which was signed by the other three, and in which an attempt similar to that now proposed was recommended. He must also again bring to their Lordships' recollection, that in submitting a selection from the Scriptures as a book to be used in the united schools, the late Archbishop of Dublin, in the name of his Episcopal brethren, expressly declared, that they did not consider that any portion of the Scriptures ought to be used to the exclusion of the Scriptures themselves; but that if any book of the kind were adopted in the common schools, the book submitted, as far as it then went, was, perhaps, as little objectionable as any other. It was well known that the clergy of the Established Church did not object to the use of approved extracts from Scripture in the religious education of youth. It was their daily practice to make use of such extracts; nor do the petitioners object to them, if they were acknowledged as extracts from Scripture, and as resting on no other authority. But the clergy could not, without the concession of a Protestant principle, subscribe to any system of national religious education in which the right of reading the Scriptures should be either avowedly or impliedly denied, or even held in doubt. To Protestants of every class the Bible was the sole rule of faith; it was the principle which united the petitioners, differing, as they otherwise did, on many points, and they could not, consistently with that principle, send children four or five days in the week to schools in which the right of reading the Bible was controverted, or not acted upon. The right of every man to his Bible was the asserted right of Protestants; but, on the proposed plan, the right was suspended or taken away, and the Bible was virtually proclaimed to be a proscribed book, in connivance with, or in submission to, a dogma of the church of Rome, which was the fundamental point of the controversy between that and the Established Church. It was with a view to the preservation of this leading principle, and not to the utility of reading in schools every page and every chapter of the Bible, or to the unlawfulness of extracts and summaries, that he had said that the Roman Catholics were consistent in their demands: and therefore, it became the Protestants to be so too. If it were objected that his own name was not to be found among the signatures to the first petition which he had presented, he would cordially avow to their Lordships what he had submitted to the petitioners themselves, namely, that, although he agreed with them in substance, and in the objects of their petition, yet, there were expressions in it, which, he thought, required modification, and which, if interpreted, according to the letter, would, perhaps, lead to conclusions which they did not mean to profess.

Petitions laid on the Table.

THE EARL OF ELDON AND LORD PLUNKETT.] The Earl of *Eldon*, in moving for returns of certain appointments he had made when Lord Chancellor, begged to say, that he regretted being obliged to come before their Lordships to explain any thing connected with his public life. He believed that he should have acted more prudently if he had declined taking any notice of the attack which had been made upon him in another place; but he felt that, in honour and conscience, he was called upon to repudiate, in the most public manner, calumnies which he hoped he should be able, in a short time, to convince the House were altogether without foundation. He, therefore, appeared, in consequence of the notice he had given, to move for returns, which he trusted their Lordships would grant. He had had the honour of serving the Crown for above forty years, in various offices, and he should have been unworthy of the sacred trusts which had been reposed in him if, from the love of lucre, or, from an inordinate desire to promote the interests of those connected with him by the ties of relationship, he had done that which was imputed to him, or had been capable of acting in the manner which had been so unfairly alleged. No one regretted more than he did the necessity of occupying their Lordships' time to so little purpose, and no one was less desirous than himself to interfere with the freedom of debate in either House of Parliament; but the course he proposed to take would make his observations as brief as could be possibly expected, and he thought the matter was so circumstanced that he could submit a Motion without trespassing on the respect due to the House of Commons. It was painful for him to go into this explanation, but he felt that he could not overlook what was said in the other House; and if he bore those reflections without a reply, he should be obliged to submit to all the calumnies which persons might choose to direct against him, on no better grounds than that he had the honour to hold, for many years, the station of Lord Chancellor of England. It was fit here he should declare that he was placed in that high situation, not at his own desire, but, on the contrary, expressly against his private wishes and feelings. There were noble Lords about him who knew that the great object of his ambition had been the Chief Justiceship of the Court of Common Pleas. To that dignity he had for a long period anxiously looked up, and if he had attained it, he should have quietly terminated his public career in that capacity; but he was not allowed to indulge his wishes, and he was drawn forth by the command of his Sovereign to relinquish them, and to accept another station, which he did, only from a sense of that duty which he owed to the commands of the Crown, whose servant he was. He never had made his office subservient to any improper gain or profit. He denied most solemnly the charge in the face of the House and of the public. He was represented as having, when he first came into office, given several places to his son. That matter he could easily set at rest; but, before he did so he begged leave to say, that he was not one of those persons who had joined in the attacks made against a noble and learned Lord (Lord Plunkett.) He did not think the accusations brought against that noble personage were justified in the least, and he had no doubt that the returns the noble and learned Lord had moved for, would clear him from every imputation. He (the Earl of Eldon) did not, however, mean to take the same grounds in his answer to the charges made against him; and he did not purpose relying on anything that had been done by former Chancellors, no matter whether they were alive or dead. He should be ashamed of himself if he could not on better grounds defeat the attempts that were made to vilify and injure him: and the course he was about to pursue was, not an appeal to the conduct of his predecessors, but an appeal to their Lordships, to agree to the production of papers which he moved for at his own hazard, and which would, when laid on the Table, prove whether what he advanced was true or false, for by them he was ready to stand or fall. In 1801 he was appointed Lord Chancellor; and at that time he gave no situation whatever to any member of his own family. In consequence, however, of the death of two out of three individuals who had been appointed to situations connected with the Court of Chancery, his gracious Majesty King George 3rd pressed him to accept the patents of those offices. He for a long time declined doing so; but his Majesty continued to importune him so much on the subject, that he at last thought it a matter of duty no longer to resist the wish of his Sovereign. But if it were necessary, he could prove at their Lordships' Bar, that, whether rightly or wrongly, he strongly grudged the payment even of the fees of the patents. So far, however, from having given appointments to members of his family as soon as he filled the situation of Lord Chancellor, it was not until 1805, four years after he entered office, that any place was given to his son. Yet at this very moment the world was taught to believe, by various publications, that his son was in the enjoyment of an income of 12,000*l.* a-year derived from those patents, though nothing but the reversion of the offices had been secured to him; and, notwithstanding that it was now almost twenty-seven years from the date of the reversions, he had not yet fallen into the possession of the offices, and probably never would enjoy them. Looking at the character of the individual who now held those offices, he had no hesitation in saying, that let it affect his son as it might, he had no wish that they should ever fall into his possession. He spoke in the hearing of the present Lord Chancellor of England, and he called on him to do him the justice to say, whether his statement was correct or not; or whether, in regard to these patent rights, he had not done every thing which was consistent with liberality and his character. It would doubtless be in the recollection of their Lordships, that when the doctrine was broached, that reversions ought not to be granted, those which were attached to Courts of Justice were made matter of special exception. He had always thought it his duty to the Crown to insist upon the patent right to those offices, but, taking into view the probabilities of life, they were in fact not worth having, except, as marks of the favour of the crown. In 1806 he retired from office, and was again recalled in 1807; and so far from having conferred any appointments at that time on his son, it was not till the year 1813, that he appointed him to the situation of Receiver General of Fines, and, he appealed to the noble and learned Lord on the Woolsack, whether any misconduct had taken place in his performance of the duties of that office. In 1813, it pleased Parliament to create the office of Vice-Chancellor. The salary of that officer was fixed at 5,000*l.* a-year, and the individual who now addressed them gave up 2,500*l* a-year out of the emoluments of the office he held as part of that sum, and, he had continued to do this from that time till 1827, when he quitted office: and, this, he believed, ought to be considered as no small sacrifice. It had been thought proper to strengthen the Bankruptcy Office, where heavy duties were to be discharged, and for that purpose he had given up to those on whom the weight of those duties fell, 1,800*l.* of the fees. He might have given a certain appointment which fell vacant in 1816, for three lives, as his predecessors had done; but he had refused to take it for more than one life; and he ventured to say, that if all the value of all the offices received by his son were to be duly estimated, they would never reimburse him for the sums which his father had been out of pocket for the purposes which he had mentioned. And yet it had been said in another place, and published in the daily papers that he had all along acted from a love of filthy lucre—a thought which had never entered into his heart. When the document for which he should move should be laid on their Lordships' Table, they would see what the real facts were, and it would appear, that of the emoluments of the offices mentioned in the return of 1822, three-fourths had never come into enjoyment; and that the reversion would never reimburse to his family the expenses which he had been out of pocket. He hoped to be able to reserve his character from the imputations that had been thrown out against him, and to show that they rested on no solid grounds. With that view he concluded by moving, "that the Return made to the Commons, in the year 1822, of the offices in possession and reversion held by Lord Eldon and his family, should be laid on their Lordships' Table;" and if their Lordships, on viewing that document, and all the circumstances connected with it, thought that his conduct deserved condemnation, then let him be condemned; and if, on the other hand, they should think that he did not deserve the imputations thrown out against him, then let him be acquitted. He considered that he had some claims on their Lordships to rescue him, if he deserved to be rescued from these unjust imputations.

The Marquis of *Clanricarde* congratulated the noble and learned Lord on the answer which he had so successfully given to the charges made against him in another place. He felt assured that their Lordships fully concurred in the sentiments expressed by the noble and learned Lord when he said that, whatsoever his own personal feelings might be, he felt it necessary to repel the charge made on account of the credit due to the high situation he had the honour to fulfil. He did not understand how far the Members of the House of Commons assumed the right of commenting on the characters of noble Lords, public functionaries, who were Members of this House; but, as he observed that the character and conduct of his noble and learned friend, the Lord Chancellor of Ireland, had also been severely handled, he begged leave to say a few words, which would soon convince the House of the error and ignorance of those statements. It was remarkable that on the 7th of March, the day on which these charges were made here, a similar statement should have appeared in the *Evening Mail*, a Dublin newspaper. In looking over the debates of the other House he found the report of a speech, attributed to Mr. Dawson, which contained, from beginning to end, an attack on his noble and learned friend, though it appeared rather oddly to him that the main principle of the censures on the noble Lord proceeded on the fact that he had not, in the distribution of patronage belonging to his office, overlooked his own family. The charge was this, that the Plunkett family absorbed of the public money 27,000*l.*; and this was made out in the following manner:—In the first place, Lord Plunkett was charged as Lord Chancellor, with having 10,000*l.* a-year. It was the first time in his life that he heard an individual accused of the crime of being Lord Chancellor; but so it was set down on the occasion alluded to, and his noble and learned friend must be content with being accused of being Lord Chancellor of Ireland, though his emoluments were far short of 10,000*l.* Next came the hon. Patrick Plunkett pursebearer to his father, the Chancellor, 800*l.* a-year; then the same gentleman, as Secretary of Bankrupts, 900*l.* To that he had only to say that it was true Lord Plunkett had appointed his son as Secretary of Bankrupts, but it was not true that his emoluments were anything like the sum named. Then came the same individual again, as Counsel in the Chief Remembrancer's Office, with 300*l.*; but to that he had but to observe that there was no salary, but that he received his regular fees as Counsel, which fees did not amount to 100*l.* a-year. Then there appeared in the list "the hon. David Plunkett, Prothonotary of the Court of Common Pleas, with 1,500*l.* a-year;" and the same hon. David Plunkett, Examiner to the Court of Common Pleas, with a salary of 100*l.* a-year; to which the hon.

Gentleman sagaciously added, "nothing was too small for these Gentlemen." But the right hon. Gentleman did not add that these places were not in the gift of the Lord Chancellor, but were given to his son by him when he filled the office of Chief Justice of the Common Pleas. With regard to the former of these offices, however, it was reviewed by the Commissioners of Judicial Inquiry in Ireland, and the rate of remuneration was fixed by them. The two offices, moreover, had been consolidated, and the amount of money received by Mr. David Plunkett was 1,380*l.* instead of 1,500*l.* Then, said the right hon. Gentleman, "there were, besides, three offices under that gentleman, each worth 500*l.* a-year; a second assistant 200*l.* a-year; and five other clerks, whose united salaries amounted to 1,000*l.*" This was the manner in which the right hon. Gentleman made up his accusations—he classed together a long list of clerks necessary for the execution of the public business, and charged their salaries as money paid by the public to the Prothonotary, because he happened to be a son of the Lord Chancellor. It had been further stated that, the hon. John Plunkett filled the several offices of a Commissioner of Inquiry—an Assistant Barrister—and Crown Council—and that all these were places of considerable emolument, but the fact was, that that Gentleman had resigned the office of Commissioner of Inquiry, and there was nothing inconsistent in his holding the offices of Crown Council on the Munster Circuit, the emoluments of which were not large with the office of Assistant Barrister, the salary of which was about 400*l.* a-year. It was strange how the right hon. Gentleman could have so misrepresented the facts of the hon. John Plunkett's emoluments, for Mr. Kemmis, the right hon. Gentleman's own brother-in-law, who was the Assistant Barrister for the county of Kildare, could have informed him that it was he that enjoyed the emoluments which the right hon. Gentlemanwould persuade the public were possessed by Mr. John Plunkett. A still more flagrant case of misrepresentation was the assertion of the right hon. Gentleman, with reference to Mr. M'Causland, jun. and Mr. M'Causland, father to the Secretary, and brother-in-law to the Lord Chancellor, put down at 1,500*l.* The House would be surprised to hear that this gentleman did not receive one shilling of salary from the situation to which he was appointed by the Lord Chancellor. Mr. M'Causland was a solicitor in large practice, and a most respectable agent; and it was a most ridiculous circumstance to find that the profits of his business were put down among the emoluments received by the Plunkett family. There was something, indeed, worse than foolishness in this proceeding, there was something of artful malevolence, in thus placing to the debit side of Lord Plunkett's public character, an estimate of the possible profits of the house of M'Causland and Company, the solicitors. The mere accident of a relative of Lord Plunkett's deriving a good income from his profession, was represented to the public as an abuse of official patronage by that noble and learned Lord. Was there ever such a flagrant instance of party spleen and party misrepresentation? Then let their Lordships consider the other items. Lord Plunkett was charged with having bestowed the Deanery of Down, worth 1,200*l.* a-year, upon his son Thomas, and the vicarage of Bray, worth 800*l.* a-year, upon his son Edward; but why was it artfully left out that Mr. John Plunkett gave up a very profitable living, which he had held for eleven years with exemplary diligence, on his promotion—conduct not exactly parallel to that of the holder of a much richer deanery—that of St. Patrick, which was held by a gentleman who also held a large living in Kilkenny. Then Mr. Edward Plunkett's emoluments were not fully 400*l.* a-year, and he, besides, held but half the living of Bray, the other half being held by his co-curate, under the late vicar. And yet these reverend Gentlemen were represented as revelling in the public money. Indeed, the right hon. Gentleman's doctrine on this head was somewhat strange; for he spoke of the emoluments of the Rev. Messrs. Plunkett as so much misappropriation of "public property." But the accusation, if it rested on anything at all, could only be founded on this, that as the Dean of Down and vicar of Bray received emoluments from their livings, this was to be considered as a direct and grievous tax on the public—a notion which could only be entertained by the most decided radical in regard to Church property. And what then did all these imputations amount to? Were any of the persons mentioned in the list undue burthens on the public, even supposing they had all been appointed by the Lord Chancellor? Were their offices sinecures, or had they not all necessary public duties to perform, or were any of these persons inadequate to the discharge of the duties? The right hon. Gentleman forgot, besides, that these revellers in the public funds were in the exercise of these spoliating functions some two years ago, under an Administration which had had the incalculable advantage of the right hon. Gentleman's own services. It was worthy of remark, too, that his noble and learned friend had been more than a year in office, and that his family had only received one favour since. Then Lord Plunkett had been denounced a "political Judge," and as having thrown on the shoulders of the Irish Master of the Rolls duties which ought to have been discharged by himself; while the facts were the very reverse, for not a single case had been heard, or, indeed, according to the construction of the two courts in Ireland, could be heard in the Rolls Court which belonged to the Chancellor's immediate jurisdiction; and but one appeal had been made from the Irish Court of Chancery to that House since Lord Plunkett's accession to office. There had been no loss of time or money to the suitors from the conduct of his noble and learned friend, whatever there might have been to the lawyers. Then, besides being a political Judge, Lord Plunkett had been held up as a "venal politician," who was spending his time here in Parliament which ought to be devoted to the suitors in his court. Lord Plunkett had been called over here in 1825 to afford the aid of his invaluable services in carrying that great measure of religious liberty, with which his fame is imperishably and gloriously associated, and, perhaps, devolved on others duties which ought to have been discharged by himself. It was not merely to support the Government that his noble and learned friend came over, but to support a cause in which he himself, as one of the public, was warmly interested. For the same reason, his noble and learned friend had come over, when he was Chief Justice of the Common Pleas, to support—not the Government certainly—but a cause in the success of which he felt a warm interest, and on that occasion he paid 400*l.* out of his own pocket, on account of his not having at that time gone the circuit. It was no light matter when men of high station were thus attacked; if a Judge were corrupt, the Constitution pointed out a due mode of inquiry, and the nature of the punishment. He well knew that the conduct of his noble and learned friend had been rigorously examined, but without any discovery that could gratify his political enemies. He entreated their Lordships to consider seriously the consequences of personal charges like these, which were made to occupy so large a space in the public mind; if men of station, Privy Councillors, would lend themselves to such representations, the result must be injurious to the Aristocracy in the eyes of the country. For this reason, if for no other, he would not enter into recrimination. If he were disposed to do that, how easily might he state facts—not wholly unfounded assertions—in which two great right hon. names might not appear models of disinterested patriotism. But he would not imitate the bad example. He would only say, that the course pursued with regard to his noble friend had been most unjustifiable—least of all in these times, and in reference to such a country as Ireland, where the people were but too ready to be inflamed against those who were placed in authority over them. The attack in this instance had been made upon the head of the Magistracy of Ireland, and the charge was nothing less than venality and corruption. It would be impertinent in him to attempt the vindication of the high character of Lord Plunkett. It belonged to the history of his country, and would be written in her most golden letters among the mighty men whose eloquence and patriotism, and above all, whose labours in the cause of religious liberty, shed a lustre on their native land. If that learned Lord was a man who was the mouth-piece of the virulence of a party—if he was a man who had changed his opinions upon a most important question at the mere beck of an influential relation—if his views had ever a reference to self, no matter how exposed to conniving at corruption—if he was a man who was wholly indebted for his public station to the accident of an accident, he would not have been singled out, as he had been, for the base insinuations of the little-minded, the bigotted, and the malevolent. But as he was wholly indebted to his own transcendent abilities for power, and wealth, and honour, it was, perhaps, unavoidable that he should excite the rancour of those who had neither the intellect to acquire such distinctions, nor the moral capacity requisite to their just appreciation.

The Marquis of *Londonderry* said, that after what had passed on a former evening, if he refrained now from addressing their Lordships, it would look as if, from the heavy displeasure of the noble and learned Lord (Plunkett) which he then incurred, he was afraid of again expressing his sentiments upon the subject. He begged to assure the noble Lord that any feeling that might on that occasion have been elicited from him had completely vanished, for he bore

> "———Anger as a flint bears fire,
> Which shows a hasty spark, and straight is cold
> Again."

He had on the present occasion no other wish in rising but to set himself right with the House as to the statements which had on that occasion been brought forward. In the first place he would observe that it was not with him, nor, indeed, in that House, that they had originated. Their Lordships would recollect that there had been a discussion elsewhere upon the conduct of the noble and learned Lord, with respect to the exercise of patronage, in which that conduct was justified by a majority of only four. He would ask why the noble and learned Lord had moved for papers relative to the appointments made by former Chancellors of Ireland. With respect to the speech of the noble Marquis (Clanricarde) he would make only one observation. It was from beginning to end, a reply to what had taken place in another House, and was, therefore, the whole of it, as disorderly as any speech which he had ever been accused of uttering in that House. If, instead of moving for those papers to which he had alluded, the noble and learned Lord had moved for a return of the emoluments actually received by himself and his family, there would have been no necessity for any of the discussions which had taken place. He begged to assure the noble Lord that he did not now entertain the smallest unkindness or ill-will, although the attack of the noble Lord upon him was not the sort of one which ought to have been made in that House. The noble Lord had said, that his friends and enemies alike disclaimed him. He had, however, lived long enough to know that political friends after the manner of other friends, are "here to-day and gone to-morrow." If any one thing more than another could cause him to regret the observations he had formerly made upon the noble Lord, it would be the effect which it had produced of bringing forward such a statement as had that evening been made in that House, feeling as he did, that private concerns were improperly made thereby the subjects of discussion. It was, however, the noble Lord himself who had occasioned it by moving for those papers. If the noble Lord would produce the return he (the Marquis of Londonderry) had suggested, it would be satisfactory to all parties; or, if not, perhaps he would have no objection to his (Lord Londonderry's) moving, that the salary of the Secretary of the Lord Chancellor, the duties of which had been so well performed by Mr. Long for 500*l.* per annum, should be reduced to that sum. He believed his Majesty's Government, in their zeal for economy of the public money, could have no possible objection to the motion.

Earl *Grey* was sure that his noble and learned friend would have no objection to the production of any documents which it would be consistent with the usages of that House to produce; but he doubted very much whether the information sought for by the noble Marquis fell within the scope of those usages. He had listened with great satisfaction to the statement of the noble Marquis (Clanricarde), and was sure their Lordships would agree with him that it furnished a triumphant refutation to insinuations which were propagated with a rancorous assiduity and a malevolent perseverance only to be equalled by their falsehood. He did not feel himself called upon to vindicate the character of his noble and learned friend, for not all the assertions which had been, within the last fortnight, made in reference to it with such malicious pertinacity, could for a moment tarnish it in public estimation. He was not, therefore, called upon to bear testimony to its high merits, and had only to say, that the noble Marquis had not exceeded by a single jot strict justice in its praise. There was one fact connected with the noble Marquis's statement, which, having come under his own knowledge, he thought it but right to mention—he alluded to the appointment of the hon. Thomas Plunkett to the Deanery of Down. It was true, that that reverend Gentleman had given up a very considerable living on his appointment; but it was equally true, that his promotion had been wholly unsolicited by himself or his noble and learned parent, and that the appointment was the free gift of his Majesty, after due inquiry as to his fitness for the office. He forgot whether it was he himself or the Marquis of Anglesey who first announced to his noble and learned friend his son's promotion, and their Lordships would, he was sure, agree with him, that so far from being ashamed of the circumstance, it must have been a source of pride and satisfaction to his noble and learned friend to learn that his son had received such a promotion without any application whatever on his own part, and solely on account of his personal merits. He need not add a syllable to the complete vindication of the noble Marquis from insinuations and senseless jargon, which it was to be hoped, after that evening, would never be revived, even to gratify personal or party malice.

The Duke of *Wellington* was always disposed to deprecate allusions by their Lordships to statements made elsewhere, as likely to lead to mischievous inconvenience, but he felt that his noble and learned friend (the Earl of Eldon) was justified in the course he had pursued that evening. His noble and learned friend had been attacked for having, in the exercise of the patronage of his office, not overlooked the interests of his own family. To be sure he did not, and ought not. If he had overlooked his own friends, he would only have departed from the practice of all his predecessors. Let him remind their Lordships, that for at least a century and a half back the Lord Chancellor, and other Judges, had invariably dispensed the patronage attached to their offices in favour of their own immediate relations. So that his noble and learned friend, in providing for his own family as well as he could, was only acting according to the uniform and acknowledged practice of all his predecessors. The fact was, that the office of Lord Chancellor would be very inadequately remunerated, unless the individual filling it possessed such means of providing for his family; and he believed it would be found out ere long, that with this inadequate remuneration, and what with their stripping off so much of the Chancellor's patronage, and what with the surrendering up so much of his bankruptcy fees, that the remuneration would be so inadequate to the labour and change of habits, that few eminent gentlemen at the bar would be disposed to accept of it. For the same reason that he justified his noble and learned friend, he would say, that the noble and learned Lord (Lord Plunkett) opposite was justified in the exercise of his official patronage. That noble and learned Lord had a large family, and was perfectly right in placing them in those situations to which their abilities and pretensions were adequate. The noble and learned Lord would only be to blame if he placed them in situations to which their abilities were not equal; and that had not been even insinuated in the course of the discussion. He would, therefore, say, that the noble and learned Lord was perfectly justified in the course he had pursued; and would say more, that his high office, and his great intellectual influence, fully entitled him to expect that the Government, of which he was a member, should give his family a preference in filling up any situations to which, as he had stated, their abilities were equal. He agreed with the noble Earl (Earl Grey) in hoping that that would be the last they should hear of this senseless outcry against public men for not having overlooked the ties of blood and nature in disposing of the patronage of office. The time of the House was but ill spent with such discussions; indeed he was sure that nothing could tend more to injure its character in public estimation, than these inquisitional investigations of the family affairs of men in high stations: at all events, they tended more to lower the House than benefit the public, and the sooner their Lordships put an end to them the better.

Lord *Plunkett* felt the irksomeness consequent upon obtruding his personal affairs upon the attention of their Lordships; but trusted that the peculiar circumstances in which he stood in relation to the present discussion, would plead his apology for detaining them for a few moments. He begged leave to assure the noble and learned Earl (the Earl of Eldon) that he never, on any occasion, gave utterance to an expression at all reflecting upon the noble and learned Earl's exercise of his official patronage, and that so far as he understood the reference to the noble and learned Lord's family made in the other House of Parliament, it was by no means intended to criminate the noble and learned Earl, but merely to exculpate him (Lord Plunkett.) He concurred, also, in the fullest manner in the observations made by the noble Duke in reference to the manner in which the noble Earl had dispensed his patronage, and so strongly did he feel this that he begged the noble Duke would accept his thanks for the justice he (Lord Plunkett) had received at his hands, and for the candid manner in which he had supplied a full justification of his conduct, by citing the uniform practice of all his predecessors, in disposing of their official patronage. He could also assure the noble Marquis (the Marquis of Londonderry) that he believed him in all sincerity and truth, when he stated that he had dismissed from his mind all angry recollections of the passage at arms between them a few evenings since, and that he, on the other hand, entertained not a particle of ill-will towards the noble Marquis, and should regret if, in the heat of a reply to what he conceived a most unjust attack, he had given utterance to an expression likely to ruffle the calm serenity of the noble Marquis's understanding. With these declarations he would have resumed his seat, had there not been one or two points which only he himself, as the person most interested, could well explain, with reference to the attack which had been directed against him elsewhere. It had been stated that he was a "political Judge"—as one, therefore, in the sense of the calumniator, who prostituted his judicial functions for the mere purposes of party. Now, the expression "political Judge" was one of great ambiguity, meaning anything or nothing, according to the immediate object of the person using it. If it meant, as he believed was intended in the speech he was alluding to, that he was a man who carried his political opinions and political partialities with him to the judgment-seat, he need not observe that no conduct could be more unjustifiable, more base, or more unworthy. He would confidently appeal, however, to every candid man who knew him, whether he had ever permitted himself to be biassed by feelings of party or politics when discharging his duties as a Judge. In truth, when he approached the judicial seat, he knew not what party or politics were. He had but one object, one pursuit, one recollection—the administering impartial justice. But he took pride in saying, that in becoming a Judge he did not, therefore, cease to be a politician; and that he felt a proud satisfaction in stating his opinions on political subjects when called upon by a proper opportunity. It so happened that the political opinions he then held were those he had advocated throughout his public life. He did not mean this by way of reproach to those who had best proved their consistent devotion to the public good by changing their line of policy; nor did he hold it up as a very rare circumstance, but merely as matter of honourable gratification that his early opinions were those which his mature judgment approved of. If, indeed, he permitted the politician in any way to prejudice the Judge—if he spent hours in Parliament which were due to the suitors of the Court, he should feel himself deserving of censure; but as he was confident he had not, he felt the insinuation to be unwarrantable and malicious. It was stated elsewhere, that he had absented himself from his Court whole Terms, and that the Master of the Rolls was, consequently, compelled to do his business as well as his own. A simple statement of facts would show the total falsity of the assertion. He was appointed Lord Chancellor of Ireland in December, 1830; and he commenced his sittings in the ensuing January. A very great arrear of business had been left to be disposed of by his predecessor; and he sat the whole of that Hilary Term, till the 17th of March. On his rising on that day, not a single cause remained to be disposed of, except at the express instance of the suitors, in order to be more prepared at the next Term. The interval between Hilary and Easter Terms he spent in Parliament, and having been constantly engaged during Easter and Trinity Terms in his Court, he rose three days before the termination of the last-named Term, with not a single cause undisposed of, except one or two, which, as in the former instance, he consented to postpone at the instance of the suitors themselves. He might, if he had so thought fit, have devoted the four months of the ensuing long vacation to his domestic affairs; but, instead of doing so, he devoted them to the service of the public in that House, returning in time to his Court where he sat during Michaelmas Term. This brought him to the last Hilary Term, during which he had been charged with totally absenting himself, and of leaving the business to be discharged by the Master of the Rolls. By an arrangement which he had made with the Bar, he commenced his November sittings a couple of days before the usual period, by which means, and by sitting every day from the commencement of Hilary Term, he succeeded in disposing of every cause set down for hearing in his Court, so as to be able to rise four or five days before the Term was over. These four or five days he, in point of fact, spent in Dublin, having literally nothing to do in the Court of Chancery, so that he might, consistently with his judicial duties, have taken his seat here a week sooner than he did. And was this spending his time in Parliament, to the injury of the suitors in the Court of Chancery? With respect to the assertion that the Master of the Rolls was obliged to assist him in disposing of the arrears of the Court of Chancery, he begged leave to state that the Master of the Rolls never heard a case not belonging to his own immediate jurisdiction, except one, and that was a case in which he (Lord Plunkett) happened to have been originally employed as counsel, and, therefore, felt a delicacy to decide it as Judge. At his special request, and for that especial reason, the cause was heard by the Master of the Rolls. He trusted this unvarnished statement of facts would be felt to be a complete refutation of all the calumnious assertions which had been directed against his official conduct. After the manly declaration of the noble Duke (the Duke of Wellington) he did not feel it necessary to vindicate at length his having appointed his own relatives to the situation connected with the Court of Chancery. The papers which he had moved for on a former evening, would show that he had acted precisely as his predecessors had done. Lord Manners dispossessed the former officer, and appointed his own brother-in-law as his Secretary; Sir Anthony Hart dispossessed that gentleman, and appointed a friend of his own; he (Lord Plunkett) dispossessed that last appointment, and appointed his nephew, Mr. M'Causland, a young man of great promise, who was most assiduous in the performance of the duties of his office. On his making that appointment, Sir Anthony Hart, who fully recognized his right, recommended him to retain the services of Mr. Long, his Secretary. A negotiation was accordingly entered into, and Mr. Long's services were retained at a salary of 500*l*., to be paid him out of the allowance of Mr. M'Causland, with the title, at his own request, of "joint Secretary." It had been represented that he (Lord Plunkett) had made a double appointment, of course, with a double extension of patronage. But what was the fact? That he had only made one appointment of two persons, with 2,500*l*. a-year between them, while the emoluments of the former single Secretary had been 3,000*l*. a-year. There was another point which had been trumpeted forth in the newspapers, and to which he would draw their Lordships' attention. It had been said that a brother-in-law of his had been appointed to a living of 1,200*l*. a-year, at his (Lord Plunkett's) recommendation; and, again, what was the fact in this instance? Supposing, however, that this was the case, it had nothing whatever to do with the charges made against him. However the facts were simply these. The gentleman in question, Mr. Oliver M'Causland, was now eighty years of age; he had been for forty years a clergyman in the diocess of Derry, and if the late Bishop, his old friend and schoolfellow, appointed him to a living now, with that appointment he had as little to do as any of their Lordships. The noble Marquis had alluded to certain fees taken by his (Lord Plunkett's) Secretaries, and had, no doubt, unintentionally, represented them as fees going to himself. With these fees he had nothing whatever to do. They were those accustomed to be taken, and belonging heretofore to the Secretary, the Train-bearer, and Purse-bearer. The noble Marquis had said, that it was represented as a hardship that these should be paid by Magistrates; but the only question was, were these fees legal or not, and if so, the Lord Chancellor could not remedy the hardship, were any suffered. But the moment he had heard that there was the slightest question of their legality, he ordered an inquiry to be made into the subject. A case was laid before the Attorney General, who was of opinion that the fees could not be legally demanded, but thought that compensation for them would be made by the Lords of the Treasury. He (Lord Plunkett), however, thought that if the fees were not legal, there ought not to be any compensation for them, and he had at once given peremptory orders to return them. In conclusion, the noble Lord begged leave to thank their Lordships for the attention with which they had heard him, and he presumed that after this explanation there was no gentleman who would say one word more against his character upon these points.

The Marquis of *Clanricarde* begged leave to say, in explanation, that the grounds on which he had made his statement was on the authority of an article which had appeared in the public papers, and he believed it was not unusual for their Lordships to comment occasionally upon such authorities.

The *Lord Chancellor* said, that as he had been appealed to by his noble and learned friend (the Earl of Eldon) upon this subject, he was bound to say a few words. He should then say, that in the communications which had taken place with respect to compensation for offices affected by the late alterations in the law, nothing could be more liberal, as well as more correct, than the conduct pursued by his noble and learned friend and those connected with him. The noble and learned Lord Chancellor for Ireland had made such a statement to their Lordships, as carried conviction with it to those who had heard him; but it was necessary that he should remind noble Lords, who did not take part in the legal business of the House, of what his noble and learned friend had omitted—namely, that his noble and learned friend, in cases of appeal and review which came before that House in the last resort, gave the assistance of his labour and talent which was invaluable.

The Motion of the Earl of Eldon "That there be laid before the House a return of all the offices held by the Hon. W. H. J. Scott, distinguishing those in possession, from those in reversion, with an account of their emoluments respectively for the last three years."—Agreed to.

HOUSE OF LORDS,

Tuesday, March 13, 1832.

MINUTES.] Petitions presented. By the Earl of ELDON, from Protestant Clergymen and Laymen of Liverpool, against the proposed plan of Education for Ireland:—By a NOBLE LORD, from the Society for the Prevention of Cruelty to Animals, for an Enactment of more effectual measures to prevent that practice.

EMPLOYMENT OF CHILDREN IN FACTORIES.] The Bishop of *London* presented a petition from Bishopsgate-street in favour of the Bill for limiting the hours of the Employment of Children in Factories. He could answer for the respectability of the petitioners, from his former connexion with the parish from which the petition proceeded. It so happened that he had himself witnessed many of the evils which it described, and he did hope there was a prospect of putting an end to them, for they had long been a reproach to the country, and they had the effect, as he was fully assured, to destroy, at an early stage of existence, those powers mental and physical, which the Almighty had been pleased to bestow upon human nature, and they also tended to blunt and extinguish every moral feeling in their victims. He understood it was the practice among masters (and he spoke more particularly with reference to one individual who carried on large works in the silk trade, because that case had been more particularly brought under his notice) to employ children of a tender age, from fourteen to sixteen hours a-day, during six days of the week, with the exception of a slight relaxation as to time, on the Saturday, and that, occasionally, they were compelled to work during the whole night. It was impossible, not to be convinced that the continuance of such a baleful, and inhuman practice, must lead to moral degradation, and to premature physical decay. He had made inquiries on this subject, in the neighbourhood from whence this petition proceeded, and from the facts that were brought under his notice, he could not employ any language too strong adequately to express his own feeling as to what must be the result as respected the moral principles and physical condition of these young and unfortunate creatures, whom it was their Lordships essential and imperative duty to protect. In this particular neighbourhood too, the evils were increased a hundred-fold, from the circumstance of the children being so long confined in a hot and tainted air, without the means of escape from it, even when their labours were concluded; and the consequence was, as exhausted nature required some stimulus, that it was found, as he was informed by a medical gentleman, who was also a Magistrate of the district, in drinking ardent spirits. He stated, that the children might be seen frequently running in numbers, on the closing of the factories, to the next gin-shops, and that the most loathsome intoxication prevailed amongst them. He trusted he had stated sufficient to induce their Lordships to extend their protection to those unfortunate objects, and he felt assured they would give their sanction to any legislative measure intended for the amelioration of the condition of these unfortunate creatures.

Lord *Suffield* said, he had also to present a petition from Maidenhead on the same subject, and he could not refrain from expressing his satisfaction at finding that the condition of children of tender age employed in factories, had at length attracted the attention of their Lordships. He must be permitted to say, that he had laboured for years to inculcate the same doctrines as those advanced by the promoters of this Bill without effect, and he was at a loss to know the motive for the new-born zeal which seemed on a sudden to inspire so many of those who had long remained deaf to all his entreaties.

The Bishop of *London* said, if the noble Lord applied the phrase new-born zeal to him, he was quite mistaken, as he had for years supported the same views which he now advanced, and he referred to the noble Lord himself to say, whether he had not, on more than one occasion, come down to second his propositions in favour of an alteration in the system of the employment of children in factories.

Lord *Suffield* said, he certainly did not refer to the right reverend Prelate, but he alluded to other persons who for a long time opposed all such plans, and now came forward with a sudden zeal to legislate, perhaps too hastily, on a subject which required the most serious attention.

Petitions to lie on the Table.

ZEMINDAR OF NOZEED'S CLAIMS.] Lord *Ellenborough* rose to present a Petition from the Court of Directors of the East-India Company, against the Bill now depending, for charging the claims of the Zemindar of Nozeed, or his representatives, on the territorial revenues of the East-India Company. The Directors maintained, that the transactions in respect of which these claims were made, were inconsistent with the duty of the claims, and contrary to their orders, and that, consequently, they were not liable to pay. The Directors considered that the interests of the Company were affected by these claims, and also the interests of the public. If these claims were to be charged on the East-India Company, the dividends might be affected first, and then the territorial revenues; and as the charter of the Company was within a short time of expiring, the interests of the public was materially concerned. He believed that a Bill of this kind could not be allowed to pass without the consent of the Crown intimated by one of his Ministers; and if so, he hoped that the Crown would refuse to give that consent. At present, he would move that the petition be laid on the Table, and that the Directors be heard by Counsel against the Bill.

Earl *Grey* was not at present sufficiently informed, as to the merits of the question, to be able at present, to give an opinion upon it; but he agreed that the subject was important, and one which required consideration. As to the consent of the Crown, he believed that the rule in this House was different from that in the other. In the House of Commons, a bill respecting the grant of public money could not be entertained without the consent of the Crown, intimated by one of its Ministers; but he rather thought that this was not here required. That point also, was one which ought to be further considered. As to the Motion of the noble Lord, he hoped that he would withdraw it for the present, that some time might be allowed for consideration.

Lord *Ellenborough:* The matter would not bear any considerable delay, but he would withdraw his Motion for the hearing Counsel against the Bill for the present. His Lordship withdrew his Motion accordingly, and gave notice that he would submit it again on Friday.

Petition to be laid on the Table.

FRENCH EXPEDITION TO ANCONA.] The Earl of *Aberdeen* rose, pursuant to notice, to put some questions to the noble Earl at the head of the Administration, with a view to elicit some explanation relative to the French expedition to Italy, and the entrance of the French troops into Ancona; and, in doing so, he was aware that he might incur the censure of the noble Earl, for breaking in upon the order and regularity of the proceedings of their Lordships' House. But he begged leave to protest against the new system of discipline which the noble Earl was attempting to introduce into their Lordships' House; he said new system of discipline, because he had been a Member of their Lordships' House for twenty-five years, and he knew that it had always been the practice to put questions, and to call for explanations from the Members of Government either with or without notice, and that practice the noble Earl, when he sat on the Opposition side of the House, had not been slow in adopting. Indeed, when he sat on the Ministerial benches, he might say that they had carried it on continually. And it was a matter of great convenience that, in this House, there should be such a practice. In the other House, frequent opportunities occurred of putting questions, and calling for explanations when questions were before the House—such as on occasions of Committees of Supply, into which generally the House resolved itself twice a week, and on other occasions. But in this House, there were no such opportunities, and, therefore, it had been in every view found convenient and useful that explanations should be called for on important subjects, and frankly given, without its being necessary to resort to the formality of a motion. From the absence here of those opportunities which were continually occurring in the other House, it followed almost as a matter of necessity, that a greater latitude should be allowed in the mode of obtaining explanations on grave and important public questions. As for himself, when he had a question to put, and the explanation to ask, he had always communicated the circumstance, either by writing or by previous notice to the noble Lords at the other side, from whom he expected an answer, and when these noble Lords sat on his side of the House, and he sat on the side which they now occupied, he could not say that ever he had to thank them for a similar act of courtesy. But, to come to the particular subject to which he wished to call the attention of their Lordships, and respecting which, he was anxious for some explanation from the noble Earl at the head of his Majesty's Administration. He had, on a former occasion, requested of the noble Earl some explanations as to the nature and object of the French expedition to Italy, and he had asked whether the French Government had made any communication on the subject to Austria and Great Britain, and the other powers concerned. The noble Earl, on that occasion, said, that the French Government had made communications on the subject both to Great Britain and to Austria, and the noble Earl, as usual, took the opportunity of eulogising the French Government, and declaring how much reason there was to be perfectly satisfied with the general course of its proceedings. But, however much the noble Earl might be disposed to condemn anything like a distrust of the sincerity of the French Government, and a doubt of its determination to avoid a violation of the integrity of the territories of other powers, yet it would, perhaps, be injustice to the noble Earl to say, that he was perfectly satisfied with this expedition to Italy—and still more, perhaps, would it be an injustice to him to say, that he was satisfied with the subsequent occupation or rather capture of Ancona by the French. It had always been the policy of this country for more than a century, to watch the proceedings of the French government with respect to other countries. This had always been our policy, whatever might be the form of the French government, and by whomsoever administered. It had always been the policy of this country to look watchfully and with some jealousy at the extent of interposition or control which the French might assume with respect to other states, without reference to the actual state of France or the government which there prevailed, and such, he maintained, ought still to be the policy of this country. There was nothing whatever in the present situation of France or the nature of its Government, that rendered it unnecessary for this country to watch the proceedings of the French in respect of other states with the same care and jealousy as ever. Such had been the policy of this country in regard to France for more than a century past, and such, he contended, it ought still to be. But he denied that these sentiments justified any imputation against those who entertained them, that they were hostile or unfriendly to France. These sentiments did not proceed from any hostile or unfriendly feeling to France, or any desire to provoke feelings of hostility towards her on the part of other powers. He denied that they proceeded from any desire to keep up a feeling of hostility between this country and France, or to provoke wars between them. He denied that the effect of such a line of policy was to provoke wars with France, or to endanger the peace of Europe. On the contrary, he maintained, that it was the way to preserve the peace of Europe, and that the opposite policy was the most likely to endanger it, whatever might be the condition of France, or the state of its government. He was himself, he believed, the first Minister in Europe who received the commands of his Sovereign to acknowledge the Duke of Orleans as king of the French, and this was immediately communicated to all the other powers; and if the noble Earl would condescend so far as to cast his eyes over the productions of his pen, which he would yet find in the foreign office, he would find an explanation there given, of the principles on which the acknowledgment was founded, and he would also probably be convinced by the perusal, that there was no desire, on the part of the Government of that day, to break the peace with France, or to catch at occasions of hostility with that country. But while he yielded to no man in the desire to preserve the relations of peace and amity with France, yet he thought it the bounden duty of the Government of this country, to prevent, if possible, any undue act of assumption or power and control by France over the other States of Europe; and if they could not be prevented, to stigmatize and reprobate such acts when committed. He considered that this was a course of proceeding called for equally by a regard to the interests and the honour of this country; and when he looked at the late occupation of Ancona by the French troops, he could not but consider it, while unexplained, as an aggression worthy of the worst times of Napoleon; and, if resorted to without any previous communication to the other powers, he considered it as worse than any act of aggression by Buonaparte—inasmuch as aggression by treachery and fraud was worse than open and avowed violence. He held in his hand a note which had been addressed by the Cardinal Bernetti, minister of the Pope, to the French Ambassador, on the subject of the aggression in question. He did not think it necessary to read that note to their Lordships, as he presumed that they were well acquainted with it; but the short facts were, that the French expedition on the 22nd of February arrived off the port of Ancona—that the Captain of the Papal forces in the fortress of that place went on board the French squadron, and offered the assistance and services usually rendered by one friendly State to another—that the ceremonies of landing were settled—and that it was agreed that the French troops should land on the following morning—that, in point of fact, the French troops landed in the middle of the night, or very early in the morning, advanced to the walls, and forced an entrance at one of the gates, and compelled the Papal troops to surrender the fortress—and that this surrender was made by the Commander of the forces distinctly and avowedly from compulsion, and a desire to spare the effusion of blood. When he first read this note, as it appeared in the newspapers, he really could not believe that it was a genuine and authentic document, and concluded that it was merely an instance of that species of wit with which some people amused themselves at the expense of newspaper editors, who were apt to be misled by their anxiety for priority of intelligence. But, on further inquiry, he found reason to alter his opinion, for the authenticity of the document was fully confirmed. Now, with what objects had such a step been taken by the French government? Was it in concert with or for the purpose of assisting the Pope? Was it in concert with or for the purpose of assisting Austria? Was it in concert with or for the purpose of supporting the rebels? Or was it for the purpose of promoting the views of M. Perier at home? He was not called upon to give any opinion on the sufficiency of the grounds on which Austria interfered in the disputes between the Pope and his subjects, and entered the Papal territory; but the grounds were intelligible and the object was open and avowed. It was communicated to the Allies, and openly proclaimed, but nobody thought of imputing to Austria any other object than that which she avowed. The interference of Austria might be justified even upon the alleged new doctrines, as to interference and non-interference, promulgated by the noble Lords on the other side, and which, after all, were nothing more than the principles promulgated by my Lord Castlereagh ten years ago. Indeed, every man of sense, who had attended to these matters, must be aware that Austria had good grounds to interfere. A revolt takes place in the districts bordering on her territories, and there is an avowed purpose of extending this to the Austrian States; and the lawful Sovereign of the revolted States invites the Austrians into his territories in order to restore tranquillity, and they enter accordingly to restore tranquillity, and by that means to preserve tranquillity in their own territories. This kind of interference might be justified on sound principles of policy. Still, however, he did not mean to say, that

France was bound to approve even of that interference. France might have a right to judge for herself on that head. But then, if the French thought proper to object to this interference, they ought to have addressed themselves to Austria on the subject, and not to the Pope. Suppose the entrance of Austrian troops into the Papal territory could not be justified, was that any justification of the aggression on the part of France? This was, indeed, punishing the Pope for Cæsar's crimes. The French aggression was certainly not justified by the proceedings of Austria, and, indeed, they themselves did not pretend to justify it on that ground. He had looked carefully into the late elaborate exposition made by M. Casimir Perier, in the French Chambers of Deputies, of the foreign policy of his government. He had read it two or three times over, in order to ascertain whether it afforded any explanation of this aggression on the Pope's territories, and he confessed, that after all the pains he had taken, he was just as wise as before. No doubt the noble Earl had perused the document with equal care, and if he had been able to make out from it any explanation of this proceeding, perhaps he would be so kind as to communicate the information to the House. As for himself, he found many fine words there, but no explanation. He found that the expedition was undertaken for the interests of the Roman Catholic religion—for the interests of the Holy See—for the preservation of the integrity of the Pope's dominions—for the support of national institutions—for the prevention of collision, and the preservation of the peace of the civilized world. He should rather have thought that the object was, to produce every one of those effects which the President of the Council contended it was meant to prevent. It ought to be observed, that M. Casimer Perier was in possession of this very protest of the Pope at the time when he made this exposition. He had said, that he would not read the whole of it, as he presumed their Lordships were acquainted with it; but, with their Lordships permission, he would read the concluding passage, and that was as follows:—"His Holiness formally protests against the violation of the Papal territory, which was accomplished on the morning of the 23rd of February by the French squadron: against all the attacks committed at the same time against his Sovereignty, and against the infraction of the sanitary laws by the squadron, and declares the French government responsible for whatever consequences may result from these acts. His Holiness demands that the French troops, who have entered in a hostile manner into Ancona, do depart from that city immediately. Amidst the deep displeasure which his Holiness derives from such an unhappy event, he feels confident that he will obtain from the French government that just reparation which he demands." This document was in the possession of M. Perier at the time he made his exposition, and he was, therefore, perfectly aware of the precise point on which explanation was required, and yet he had given nothing like a satisfactory explanation. In what condition did these two States then stand with respect to each other? Were they not in a state of war? Whether the city of Ancona was taken by regular siege or by sudden assault—whether the Papal forces were attacked and subdued after a conflict, or found themselves forced to disarm and surrender, in order to prevent an effusion of blood, the proceeding was the same in principle. The Papal troops might surrender without striking a blow, but the violation of the territory was the same as if they had been subdued after a fierce resistance, and the state of war was fully produced. There was one expression in the protest which was worthy of serious notice, as it pointed out an additional character of extravagance to this most extraordinary proceeding—and that was, the expression which referred to the violation of the sanitary laws of the State. It was difficult for the people of this country to understand the effects upon the feelings of the Italians by a violation of these laws, and the alarm which an event of that kind was calculated to produce in that country. There was at that time among the French squadron a frigate from Algiers, which was performing quarantine; and every individual who landed in the Papal territory from that frigate was liable to suffer the punishment of death by the sanitary laws. This violation, therefore, of the sanitary laws was an additional outrage to the Papal States, calculated to produce anarchy and confusion, and to add the evils of pestilence to those of war. He mentioned this last circumstance in order to show the total absence of all consideration on the part of the French government when they sent this expedition to Italy, and the just feelings of indignation and alarm which it was calculated to produce in the Papal government. So that on the whole, this was an outrage so strange and extraordinary, that it was unparaleled in the history of civilized nations. It was so very extraordinary a proceeding, that he was in hopes that the French Government itself was not responsible for it; and that such an explanation might still be given as would remove the danger to the peace of the civilized world, which must be very imminent. As matters at present appeared to stand, there could be no doubt but that the peace of the civilized world was seriously endangered by this most extraordinary and preposterous proceeding, and he hoped, therefore, that the noble Earl would be able to state that the French government totally disavowed this act of the Commander of their troops, and had given satisfactory explanations to all the nations concerned in the preservation of the fundamental interventional laws of civilized States. It was to give the noble Earl an opportunity for affording the proper explanation, that he now called the attention of their Lordships to the subject.

Earl *Grey* had listened to the speech of the noble Earl with surprise, not unmingled with regret, the rather, as he thought it was understood that the noble Earl would, so far from provoking or entering upon a lengthened discussion, frame his question so, that it might be disposed of in a very few minutes. The noble Earl, however, in thus making a question, which admitted of a brief and simple answer, the pretext for expressing at length, and in strong language, his views and opinions on a variety of questions connected with our foreign relations had only repeated his conduct on former occasions. But the noble Earl had justified himself on the ground that he had only followed the usual course adopted by others, and the noble Earl thought proper to express an apprehension that in so doing he would expose himself to his (Earl Grey's) censure. He, however, did not assume to himself the prerogative of inflicting censures on these occasions, nor did he claim for himself the distinction of having introduced a new species of discipline into the discussions in that House. He was perfectly aware that it had been the practice of that House to allow the putting of questions to Ministers, and asking for explanations with respect to matters of importance when explanation might properly be called for, and might be given consistently with a due regard to the public interest. The convenience of this practice, when kept under proper restriction and within proper bounds, was obvious; and he would be ready to give such answers and explanations to questions put, under the modifications which he had mentioned, as his sense of what was due to the public interests would allow him to give. It was not to the putting of questions, nor to the calling for explanations on proper occasions, that he objected. What he deprecated was, the putting of questions, not for the mere purpose of eliciting explanation where explanation could be properly given, but merely as a pretence for declamation against the Government, by assuming certain propositions as true in regard to matters which were still in progress, and with respect to which, for that or some other reasons, Government could not give an immediate explanation. He objected to these questions only when they were made the pretence of assailing Ministers with arguments or declamatory statements on matters into the discussion of which the Ministers could not enter, because they were not in a situation to be thoroughly discussed consistently with a due regard to the public service, and when the putting of them could not possibly be attended with any beneficial result, while they might be attended with much inconvenience and mischief. Against questions put with these improper views, and in that improper spirit and temper, he had protested, and would protest, without pretending to introduce any new discipline into the discussions of that House, and he would not be provoked, by any observations of the noble Earl, to depart from the course which he thought becoming in him to adopt on such occasions; but passing by the noble Earl's vituperative declamation against the Government, he would at once come to the plain statement of facts. The noble Earl had expressed his hope that such an explanation would be given as that the apprehensions of war, which present appearances seemed to indicate, would be removed; but if the noble Earl was sincere in that hope, it would have been well if he had waited for that explanation before he indulged in declamatory statements, which could only be calculated to produce feel ings of animosity and hostility, and to endanger that general peace which the noble Earl professed himself to be so anxious to preserve. If the noble Earl was really disposed to preserve that good understanding between Great Britain and France, upon which it was admitted that the peace of the country would depend, why did the noble Earl, under the pretence of asking questions, enter upon a declamatory attack on the conduct of the French government, without waiting till the explanation could be given, or till it was ascertained whether at the moment it could be given or not? Was the course adopted by the noble Earl that which was most likely to be adopted by one who was anxious to preserve the good understanding between Great Britain and France, and the consequent peace of Europe. The noble Earl had referred to the exposition of the French president of the council in the chamber of deputies, in which speech the noble Earl, had no doubt, found many things which were not very palatable to him. He had also looked at that exposition, as the noble Earl had very properly supposed him to have done, and perhaps there might be some things on which he might have wished that the exposition had been more explicit; but, at all events, the noble Earl ought not to have confined his views to some particular portions of the speech, without looking at the other passages, and the general result. It was impossible to deny that the exposition did contain many passages which were highly satisfactory to every lover of the peace of the world, and which afforded a strong security to other governments as to the moderation of the views of the government of France, and had consequently the best tendency to preserve the general peace. Such appeared to him to be the general result of that exposition. The noble Earl had accused him of being always ready to seize the opportunities for eulogising the French government. He confessed that he was glad when he found good reason for eulogising it, and he thought that the disposition so to do, where there appeared good grounds for eulogy, was much more likely to preserve the good understanding betweeen Great Britain and France, and consequently the peace of Europe, than the course adopted by the noble Earl, of being always disposed to accuse the French government of being prone to resort to unjustifiable and criminal attacks on the territories and the institutions of other states. In saying this he had gone beyond what he had originally intended to say, and he came now to the particular question in which the noble Earl called for explanation. The noble Earl had truly stated that, he had before called upon him for an explanation as to this expedition to Italy, and he admitted, that in answering the noble Earl on that occasion, he had had great pleasure in being able to speak of the conduct of the French government in the manner to which the noble Earl alluded. He had then answered that the French government had made communications to Great Britain and Austria on the subject of sending troops to Italy, but as to the particulars of that communication he did not think that he was called upon to enter into an explanation. But when the news arrived that the French troops had landed, and had occupied Ancona in the manner stated in the note and protest of the Pope's minister, Cardinal Bernetti, he could only say, that the news had come by surprise on the Government of this country, and that it came equally by surprise on the French government. The consequence was, that the Act was immediately disavowed by the French government as being contrary to the instructions given to the commander of the expedition, and that an immediate communication was made by the French government to the governments of the Pope and Austria, that orders had been given for the recall of that officer, and this communication was accompanied by assurances which were calculated to be satisfactory to them. Upon the whole, the consequence was, that whatever might be the opinion of the noble Earl as to this transaction, it was not likely to affect the general peace of Europe. He certainly was not disposed to dispute the principle of the noble Earl —that everything affecting the general peace of Europe must be matter of anxiety to Great Britain. He had himself advocated and maintained that principle, and he still adhered to it, without at all pledging himself to carry it out to questions more or less remotely connected with the tranquillity of Europe. He would further say, that what had recently happened at Ancona on its first appearance bore a character of that description—it did appear immediately connected with the peace of Europe; but what Ministers had done under that persuasion, they could not properly be called upon to state; immediate measures were, however, taken, which were well received by the French government, and they were communicated to the Austrian minister, who expressed his entire satisfaction. Nay, more; there was not the least doubt that they gave the same satisfaction at Vienna, because they were only an anticipation of a request since received from that Court. These were the circumstances, and having stated them, he wished to ask even the noble Earl, whether it was convenient to force Ministers into further explanations? His hopes were confident that these transactions (which he again said had occasioned him much surprise and concern) would not ultimately lead to consequences dangerous to the peace of Europe. He was ready to admit, that the noble Earl had a full right, if he found the King's Government acting on any question in a manner inconsistent with the honour and interests of the country, to stigmatise (that was his word) their conduct. While he admitted the right, he did not deny the consequences; if the honour and interest of the country had been sacrificed, there was no stigma too marked, no punishment too severe, for the guilty. All he in candour asked was, that the noble Earl would wait until he had the proof that such a disgraceful course had been pursued. He trusted that it would be seen, whenever it was found necessary to inquire, that the present Ministers were free from any such reproach. He hoped that what he had said would be satisfactory to the House, but he could not sit down without deprecating a practice not consonant with convenience—not consonant with justice—not consonant with the rules and orders laid down by the House; for without a motion, under the pretence of putting a question, the noble Earl had entered into a detailed statement, and had pronounced strong opinions upon measures in progress, while the King's Ministers were precluded from both explanation and discussion. More than this he would not say on the present occasion; and if the debate should proceed (which regularly it could not do, and advantageously he was equally sure it could not do), nothing should provoke him to make any additional statement.

The Earl of *Aberdeen* said, he could not, after what had taken place, regret that he had called the attention of the noble Earl to the subject. He could not have expected more from the noble Earl than he had stated; and he felt perfectly satisfied for the present with the extent of the information he had obtained. He must, at the same time, say, that he had not attempted to throw any stigma on the Government, though he had declared that, under particular circumstances, it would be his duty to stigmatize them for having neglected the honour and interests of the country. He trusted that nothing had fallen from him calculated to embarrass the negotiations in which the Government was engaged; for he assured the noble Earl he had no such intention.

BELGIUM.] The Duke of *Wellington* said, he should not say one word as to the topic which had just been under discussion, but he rose for the purpose of adverting to another part of the speech of M. Perier, which, in his opinion, seemed to imply that certain proceedings had taken place derogatory to the character of his Majesty's Ministers, as well as to the characters of their allies. He alluded to the armed interference in the affairs of Belgium by France. He begged to ask the noble Earl (Earl Grey), to examine the correspondence upon this matter, with a view to prepare himself for a motion which he (the Duke of Wellington) would submit to the House on Friday next, calling for the production of papers. His reason for bringing forward this motion was, because he was anxious that the British Government and its allies should stand where they did stand, and to do justice to the French government, by showing that they never took any other view of the affairs of Belgium than that which had been adopted by the Government of this country. The noble Duke concluded by giving notice for Friday.

Earl *Grey* was desirous that the noble Duke should particularize the papers he referred to. His intimation was too general.

The Duke of *Wellington* said, he should move for the Orders in Council, on and subsequent to the 2nd of February, 1831, and also for copies of the correspondence between the French Secretary of State and the British Ambassador at Paris.

Lord *Goderich* said, that the Orders in Council were already on the Table of the House, as was also a portion of the other papers. The better way would be for the noble Duke to send to the Foreign-office a list of the papers he required, and they should be prepared.

TITHES.] Lord *Cloncurry* took that opportunity to say, that a speech made by a noble Peer (Earl Wicklow), on a former night, had given great pain to a respectable Magistrate in Ireland, who was charged by the noble Earl with having told the peasantry to resist the payment of tithes. The gentleman in question denied that he had done any thing of the sort, and alleged that the whole story was destitute of the slightest foundation.

The Earl of *Wicklow* said, he had made no charge against any individual. The charge he made was against the Government, and if any member of the Government should venture to contradict that statement, he was prepared to support it.

Lord *Plunkett* said, that, certainly, the noble Earl (The Earl of Wicklow) when he made his statement, had made no reference to any particular person or place, nor did he even mention the name of any part of Ireland. Still, what had fallen from the noble Earl rendered it proper that he should make a short statement on the subject. When he heard of the matter in question, he thought it right to institute an inquiry, but first he caused the statement to be verified by oath. When, however, the Gentleman came to make his defence, he proved, by no less than six affidavits, that he was entirely guiltless of what was unfairly imputed to him.

The Earl of *Wicklow* said, that the contradiction of the noble and learned Lord did not apply to the charge which he had brought forward.

Lord *Holland* said, he must call the noble Earl to order. There was no question before the House.

Subject dropped.

PROSECUTIONS (IRELAND.)] The Earl of *Wicklow* asked, if there was any objection to lay before the House the affidavits of Mr. Green, the resident Magistrate of Kilkenny, respecting the proceedings instituted in that county by the Attorney-General, upon which he founded his application for stopping the Kilkenny trials.

Viscount *Melbourne* said, the noble Earl ought to give notice of his Motion; and if Government thought it discreet to do so, the papers would be granted.

Earl *Grey* said, that such motions were extremely inconvenient. Mr. Green had made an affidavit with a view to have those trials postponed, and the Court had thought it right to accede to his request. The application, in fact, appeared to the Judge to be such as justified the postponement of the trials, and a discussion upon the subject, before they were finally disposed of, would be very inconvenient.

The *Lord Chancellor* said, that, in the whole course of his parliamentary experience, he had never known a more extraordinary motion than that of the noble Earl, to have a paper that, under the circumstances, could not be granted. The Irish Attorney General, after one verdict of acquittal, had thought it right to apply for the postponement of the other trials, and now the noble Earl called for the information upon which the Attorney-General had exercised his discretion. He hardly knew where such a motion would lead them to. Every secret, however delicate, and every confidence, however sacred, would be liable to be violated, if Government was obliged to assent to such a motion. The affidavits filed by the Attorney-General had satisfied the Court, and they ought to satisfy their Lordships also.

The Earl of *Wicklow* said, he had only asked the question as to whether there was any objection to the Motion. As there was an objection, he should not move for the paper.

AGRICULTURAL LABOURERS' EMPLOYMENT BILL.] Lord *Kenyon*, in moving the committal of the Agricultural Labourers' Employment Bill, said, his object was, not to give encouragement to the inclosure of waste lands, but to allot one-seventh of all commons and waste lands hereafter to be inclosed for the poor. He did not wish their Lordships to give their assent to a General Inclosure Act, but he thought nothing could so much tend to raise the condition of the agricultural labourers, as putting them upon the footing of small farmers. He was of opinion—and their Lordships would, he had no doubt, agree with him in that opinion—that it would not be desirable to burthen such persons with the payment of tithes; and he, therefore, proposed, by this Bill, that all waste lands inclosed under its provisions should be exempted from tithes, and that a portion of such land should be allotted in lieu of them.

The Duke of *Northumberland* did not

object to the principle of the Bill, but he entertained some doubts as to the mode in which it would affect the rights of Lords of Manors and Lords of Forests. Consequently, he wished for further time to examine its details. He would, at the same time, say, that there were large tracts of land in Northumberland, which, during the war, had been converted to tillage, but were now again laid down with grass. Some of these might, probably, be usefully converted for the purposes of the Bill.

The Marquis of *Salisbury* assured the noble Duke, that the rights to which he alluded, were carefully guarded in the Bill.

The Earl of *Carnarvon* did not think the Bill calculated to confer much benefit on the poor, as small allotments of good land near their cottages were much better than large allotments of bad land, probably at a distance from their abodes. He was afraid that the quality of the land they were likely to get under this Bill would be found of the worst description. He thought that their Lordships ought to look, not only at the principle, but at the details of the Bill, and these details he thought most defective. But, supposing that these details were not so objectionable as he thought them, still the Bill was defective in the mode in which it proposed to carry the enactments into effect. As the Bill now stood, a majority of the holders of the land in a certain district might inclose it, while the owner of two-thirds of the land in that district might be abroad, and the inclosure might be made, without his having the least knowledge of what was going on; and then, when he came back, might find that it had been inclosed in his absence. The Bill did not seem to him sufficiently to protect the rights of absent parties.

Lord *Suffield* regretted, that something had not yet been done for the relief of so valuable and large a body of men as agricultural labourers; he hoped, however, that this subject would, ere long, occupy the attention of Government. He was well aware, that Ministers had been so much occupied by the great measure of Reform, that they could not conveniently turn their attention to this subject. With respect to the present Bill, he believed that it would be beneficial to the labourer rather to have land near his cottage, than a larger plot at a distance.

The Bishop of *Bath* and *Wells* entertained an objection to giving a poor man so large a portion of land as two acres, believing that he would not be able to cultivate it to advantage. He would, however, reserve his objections till the House went into Committee.

The Earl of *Falmouth* recommended his noble friend near him to postpone the Committee until Monday-week.

Lord Kenyon consented to the suggestion.

Committee postponed.

HOUSE OF COMMONS,

Tuesday, March 13, 1832.

MINUTES.] Bill brought in. By Mr. SPRING RICE, for granting certain Duties in Sugar to his Majesty for a limited time for the Service of the year 1832.

Returns ordered. On the Motion of Mr. HODGES, of the total Amount of Money levied for the Poor and County Rates, for the year ending the 25th of March, 1832, and how the same was applied, with a Statement from the Respective Overseers, whether Select Vestries prevailed, or Assistant Overseers were employed in their respective Parishes; also of the Number of Persons Employed on, and the Expenses of maintaining the Parochial Roads during the same period, and the Number of Persons Employed in other Labour by their Respective Parishes:—On the Motion of Mr. SPRING RICE, of the Number of Persons committed for Trial for Criminal Offences in England and Wales during the last twenty-one years, to be divided into three distinct periods of seven years each, with the Number of Convictions and Sentences &c.; and the same Returns for London and Middlesex, exclusively.

Petitions presented. By Lord STANLEY, from the Inhabitants of Hawkshead, in favour of the Factories Regulation Bill:—By Mr. LAMBERT, from the Inhabitants of the United Parishes of Rosscarberry, and Kilkeranmere, Kiltenell, Clonegoose, Ardrahan, Abbert, Newcastle, Ratoath, and Kellaban; and by Mr. WISE, from the Inhabitants of Clogher, Carrick-on-Suir, Kilcash, and Templetney, against the Tithe System in Ireland; from the Freemen and Freeholders of Galway, generally; the Guild of Weavers and Sawyers; the Roman Catholic Merchants and Freemen; the Protestant Freemen, and of Members of the Irish Bar connected with that place; and by Mr. CRAMPTON, from the Catholic Freemen, praying for a reduction of Stamp Duties on the Admission of Freemen, and for the preservation of the peculiar Franchise of that place:—By Lord STANLEY, from the Freeholders and Inhabitants of Charlton Row, against the General Registry Bill.

DROPPED ORDERS.] The *Speaker* said—"The time has now come when it is necessary some arrangement should be made respecting the dropped Orders of yesterday. It is impossible for me to advert to the circumstance of no House*

[* The Speaker's allusion is to the fact of the House not having met the day before on account of the death of his mother. Lord Althorp stood at the door to announce the intelligence to such Gentlemen as might have come down in ignorance of the death of Mrs. Manners Sutton, and prevent their entering the House.]

having been made, without feelings of the deepest obligation and gratitude for the great kindness and consideration evinced towards me upon this as well as upon every other occasion, ever since I had the honour of presiding in this Chair.

Lord *Althorp* moved that the dropped Orders of yesterday be read before the Orders of the Day.

FRENCH EXPEDITION TO ANCONA.] Sir *Richard Vyvyan* said, he would take that opportunity to put some questions to the noble Lord at the head of the Foreign Department on the subject of the French expedition to Ancona. On two previous occasions, when questions had been proposed to his Majesty's Ministers on the subject, they had stated their inability to afford the House any information; but as some time had since elapsed, he hoped now to be more fortunate. Since he had last called attention to the subject he had seen a protest issued by the Pope, in which there were some passages which proved that an invasion had been made into the Papal dominions. As the protest had, he presumed, been read by almost every Member of that House, he would merely trouble them with an extract, solely with a view of proving that an invasion had been made. The hon. Baronet read the following passage:—

"On the 23rd of February, at three o'clock in the morning, the French troops landed clandestinely, and placed ashore 1,500 men, who began by throwing down the gate called Marello, which was not guarded; from thence they proceeded to make themselves masters of the gates of the city, disarming, at the same time, the Papal guards. They surprised with about one battalion, the guards of the dwelling of Colonel Lazzorini, Commander of the fort and city. They then sent up to the gates of the Colonel's residence a serjeant of the Papal guards, whose voice was known to the people of the House, and at whose demand the doors were opened by them. Colonel— immediately presented himself to the Commander, and declared to him that he was a prisoner of war of France until such time as he ordered the fortress to be delivered up to him. The Commander refused to do so, and the Colonel caused him to be conducted, with the Adjutant Major of the Papal troops, to the Palace of the Pro-Legate, to which place the Colonel himself returned, to intimate to the Commander that he should not be set at liberty until the fortress was delivered up. Upon receiving another refusal, he declared that the Commander, as well as the Officers, functionaries, and military employés, were prisoners, granting them, on the parole of the Commander, permission to consider the city as their prison."

Such being the state of things, it was, of course, but natural to suppose that some explanation would be called for, not only by the Government of England, but by the members of the Chambers of Deputies in France; and, accordingly, he found that, in reply to a question from some member of the French opposition, M. Perier had, on the 27th of last month, made a long statement in the Chamber of Deputies, which clearly proved that France, in what she had done in the dominions of the Pope, had acted without any consultation with the other Powers of Europe, thereby taking on herself the business of meddling in the affairs of the internal States of Europe, whose existence principally depended on the just balance of power. The passage which he thought particularly deserving of attention was this:—

"But France has still other duties to fulfil; she knows that the re-establishment of physical order is not sufficient to ensure solidly the tranquillity of nations, unless it be accompanied by the satisfaction of those legitimate and enlightened demands which are addressed peaceably to the heads of States. Thus, with the view of serving the government of the Pope, which has been exposed to so sharp an attack, as well as with that of maintaining general order, and that balance which we have had in view, our Government has employed every possible mode of persuasion with the Holy See, hoping to obtain ameliorations in favour of those cities which had been placed under its authority, and thus to prevent, by modifications wisely suited to the country, those troubles, the return and the repression of which, by foreign aid, ought to be guarded against, faithful to its policy, the definition of which I have given, the Government for its own interest, as well as for that of the Papal government, and always with the maintenance of peace as before, to preserve which all causes of collision and of umbrage must be avoided—the Government being principally instigated by the endeavour to found the security of the Pope's power upon more stable means than those of a periodical repression, conceived it to be their duty to take a determination, which, so far from appearing an obstacle to the solution of difficulties which were to be resolved, appeared, on the contrary, likely to render that solution more expeditious: it was with this end that our troops disembarked at Ancona on the 23rd February. As was the case with our expedition to Belgium, our expedition to Ancona, conceived in the general interest of peace, as well as in support of the political interest of France, will have the effect of giving new activity to those negotiations in which all the Powers will concur, with the view of ensuring, at the same time, the security of the Papal government, and the tranquillity of its States by efficacious and durable means."

Now, he begged to ask, what would be the consequences if such a principle as that by which M. Perier vindicated the conduct of the French government was acted upon towards England? He confessed that his motive in calling the attention of Parliament to the subject was, not to defend the Papal government, but to direct attention to the interests of England; which were indirectly affected by the course which the French had adopted. The Allied Powers might, with almost as much justice, declare against the mode of trial in force in England as insufficient for the protection of order or present a remonstrance to his Majesty's Government representing that a part of these realms were periodically disturbed in such a way as to require measures of coercion beyond the ordinary law of the land, and that a Congress had been held in which it had been resolved that the peace of Europe required the interference of the Allies to adjust the differences between his Majesty's Government and the people of Ireland, without the intervention of the British Parliament. Although it might appear that what he had already quoted, was explicit enough, the opposition in the French Chamber was not satisfied and on the 8th of March, the French minister again asked by General La Fayette for details upon questions of foreign policy, spoke as follows:—

> "As to the Italian question, I would again ask the chamber if it were possible to enter into more clear and precise explanations than those which have been already given? I have said, that the Austrians, having occupied Bologna, the government was obliged to take a step in the interests of France as a continental power, and as having to protect considerable religious interests in France, which demand the more protection, as, in separating the temporal power from the spiritual influence, it behoves us to protect them in the spiritual chief of the Church abroad, so as to prove that the Government is really a protector, not only of material interest, but also of moral and religious interest, of that sentiment which should never disappear in the nation. At the same time, I should explain to the Chamber all that we have done in our attempt to obtain ameliorations on the behalf of the inhabitants of the Legation, we have never ceased, in concert with the different Powers, as may be done by one Government to another, from giving advice in favour of such ameliorations; this advice has been more or less successful, and it is not our fault that it did not always succeed."

This speech strongly reminded him of those of Cromwell on occasions when he did not wish his Parliament to understand him. One thing, however, was perfectly plain, namely, that the interference of France took place contrary to the wish of the Pope. His object, therefore, was, to inquire from the noble Lord, whether the protest of the Pope was to be considered as an official document—whether, in fact, the Ministers of Great Britain had received such official information as to enable them to say, that the document, protesting as it did against the occupation of Ancona by a foreign Power with which England was in alliance was authentic. He assured the House that he felt as much as any man could the necessity of preserving peace; but, at the same time, he felt the necessity of watching the interests of Great Britain. The surest way to bring on a war was, to appear not to see what was evident to every person, that France was determined to take the lead in the affairs of Europe. He wished for the continuance of peace. It was for the interest of both countries that it should continue. If, however, there was such a thing as French honour, there was also such a thing as British honour. He was not to suppose that the Government of this country did not or would not expostulate. He felt assured that they would expostulate, and that an apology must yet be made to the Papal government for this encroachment on it as an independent Power. The only question he should put to his noble friend was this, whether he had official notification that the protest ascribed to Cardinal Bernetti was authentic or not?

Viscount *Palmerston* was happy to be able at length to give his hon. friend a direct answer, as he considered himself unfortunate in having had questions frequently put to him of late, particularly by his hon. friend which it was not consistent with his duty to answer. But he was now able to inform the hon. Baronet that his Majesty's Government had received from one of his Majesty's Ministers abroad, the copy of a document, similar to that which the hon. Baronet had seen in the newspapers, and to which his question referred. The hon. Baronet might, therefore, assure himself that the paper in question was a correct copy of the protest of the Pope, making allowances, perhaps, for errors in the translation. The answer he gave on the 23rd of February to the question put by his hon. friend was twofold. In the first place, he said he had reason to know that the expedition was in preparation; and, secondly he stated, that he had then no information of its having sailed, and such was the fact at the time. His hon. friend said, the manner in which the French troops behaved at Ancona was inconsistent with the independence of States. That opinion was not entertained by him and his hon. friend alone, but by the French government also, for the foreign Ministers at the court of France was informed, without delay, that the French Officer in command at Ancona had exceeded his orders, and was recalled. In putting questions relating to such nice matters the hon. Baronet always prefaced them by saying, that he was desirous of the maintenance of peace between France and England, and that its preservation was important to the interests, not only of England, but of all Europe. If such were the sentiments of his hon. friend, certainly he took a strange way of demonstrating the peacefulness of his disposition, by endeavouring to goad his Majesty's Ministers into proceedings which, to say the least of them, would in the end excite unfriendly discussions between the two Governments. For his part he was at a loss to understand on what principle it was, that his hon. friend supposed that England was bound to the defence of the Papal territory more than of any other part of Europe. He was, however, as sensible as his hon. friend that anything which would have the effect of disturbing the balance of power would be injurious to the interests of England. But he could not acknowledge that there was any parallel in the case of the French occupation of Ancona to that supposititious case which his noble friend had put respecting Ireland. If it should ever occur that the King of this country should be compelled to call upon foreign troops to assist him in restoring peace in any part of these realms, then he would say, that the independence of England was at an end.

Mr. *Pigott* said, that although the French government denied that they had taken possession of Ancona with hostile intentions, as respected the Pope, yet the fact was, that they held it in opposition to the expressed wishes of that Sovereign. He called on the House and the Government to remember that this was the sixth military expedition of the French since the restoration of the Bourbons, and the third that had taken place within a very short period. He was glad to have heard from the noble Lord a disavowal of the principle on which France had now interfered between the Pope and his subjects.

Colonel *Evans* would give no opinion whether the course pursued by France was consistent with the law of nations, but this he would take upon himself to say, that the policy of Austria with regard to Italy was, to reduce it to a state of political subserviency, and if the active interference of France led to improvement in the political state of that country, it must be of essential benefit to England towards preserving the balance of power.

Sir *Richard Vyvyan* said, that the dismissal of the French officer would not be satisfactory, unless the transaction was disavowed by the French government.

Conversation ended.

Dropped Orders read.

TITHES (IRELAND.)] Mr. Stanley moved the Order of the Day for the House to resolve itself into Committee on the subject of Tithes (Ireland), and the question being put that the Speaker leave the Chair,

Mr. *Wallace* said, that he could not consent to the House going into a Committee, until sufficient time should have been given to the Irish Members to consult their constituents. Circumstances were occurring every day in Ireland to show that the measures proposed by his Majesty's Government would, if persevered in, be attended with disastrous consequences. He would divide the House.

Mr. *Bodkin* said, that no man was more sensible than he, that it was necessary to cut down the Irish Church Establishment to a condition better suited to the circumstances of Ireland; but he thought it was not expedient for the Irish Gentlemen with whom he generally voted, to take a course which might seem only calculated to impede the public business.

Mr. *Brownlow* said, that although his own opinion respecting the measures contemplated by his Majesty's Government was unaltered, yet he thought that after the opinion of the House had been so decidedly expressed by so large a majority, it was not for the minority to stand in the way of the public business.

Sir *John Bourke* concurred with Mr. Brownlow, and requested his hon. and learned friend (Mr. Wallace) not to persevere in his opposition to the Committee.

Mr. *Leader* was placed in such a position in respect to the proposed measures, that he would compromise nothing. He would lose no opportunity of procuring a postponement of those measures, in order to give the people of Ireland time to express their opinions as to the necessity or the justice of enacting a new penal and coercive law.

Mr. *O'Ferrell* thought, that the division would effect no good purpose. For his part he would join in pressing for a division if he thought that any advantage would result from it.

Mr. Wallace consented to withdraw the Motion, and the House went into Committee.

Mr. *Stanley* said, in rising to propose to the Committee the Resolutions on which it was intended to found the future proceedings of his Majesty's Government respecting the important recommendations of the Select Committee upon tithes in Ireland, he could not refrain from expressing his regret that any course which he had felt it to be his duty to pursue should be looked upon by any Gentleman as intended to deceive them, and to entrap the House into an implied approbation of measures which had not been formally brought before it, but which he felt bound to submit for its consideration. He begged leave to assure the House that he was deeply aware of the importance of the task he had undertaken. He knew that there was no question in the whole range of our domestic policy more liable than this to offer familiar topics for popular declamation—no one upon which the public feelings, and prejudices, and passions, and religious opinions, were more warmly and strongly excited than upon this very question of the provision, by the payment of tithes, for the Established Church of the country. At the same time, he was quite sure that the Committee would agree with him, that there could hardly be a question upon which—with a view to the most important interests of the country, with a view to its own peaceable and tranquil, and satisfactory settlement—it was more incumbent upon the House to discharge these popular topics, and to waive, as far as might be, the prejudices that, on one side or the other, we were all more or less liable to yield to. But he would not now call the attention of the House to what he felt to be a most important and difficult question—the connexion which in all Christian countries the Legislature had thought fit to establish between itself and the religion of the State. Such a question ought not to be raised without the most deliberate consideration, and, on the part of the Government especially, it required the plea of the most imperative necessity to justify any interference with existing relations, or any alterations of the law relating to what might be considered part of the property of the country. If it were said, that he now pressed the House to decide upon a partial consideration only of some portions of this question, he would answer, that he did so because there was lying on the Table of the House a statement of facts which made it impossible to resist coming to an immediate investigation of them, and he was justified in this opinion by that of the Select Committee to whom the whole of this subject had been referred. It was unnecessary for him to inform the House, that it was now about eighteen months since a systematic and determined opposition was first manifested to the payment of that which, whatever might be the abstract opinion of hon. Gentlemen as to its propriety or origin, they would not attempt to deny was a legal impost; legally claimed by the one side, and legally due from the other. He could not, perhaps, more strongly impress upon the House the importance—the absolute necessity—of taking some immediate steps upon this question, than by pointing out from how trifling an incident this smothered flame broke out in an insignificant parish, and had gradually spread itself over, perhaps, one-third of Ireland. When he spoke of systematic resistance extending over one-third of Ireland, he did not mean the violent and forcible resistance offered to legal payments, but the deeply-settled conviction that prevailed in certain districts on the part both of those who had to pay, and those who had to receive tithes, that it was of no service for the latter to demand them, as the attempt to enforce the demand would inevitably lead to a disturbance of the peace. By mutual consent, as it were, both parties were at this moment looking with breathless anxiety not only for the final decision of the Legislature, but for the most trifling expression of its opinion as to the claims of the contending parties. It was only in the month of November, 1831, in a parish free from the most odious part of the tithe-system, because that parish had been brought under the operation of the Tithe Composition Act, that the first systematic opposition to the payment of tithes made its appearance. It was successful; and the example flew like wildfire over parishes and provinces, till now, after the lapse of only sixteen months, it threatened the extinction of the legal claim throughout the whole, or the greatest part of Ireland. In considering the space over which this resistance now extended, he would call the attention of the Committee, in the first instance, to the evidence given by Sir John Hervey, Inspector General of Police in the province of Leinster. He stated that his district comprised the counties of Wexford, Wicklow, Kilkenny, Carlow, King's County, Queen's County, East Meath, West Meath, Longford, and Louth, and, upon being asked whether there was any part of his district which he conceived to be free from this combination, he said, that in that part of his district where resistance had not been actually made, threatening notices had been circulated, he had no doubt that the same determination to resist existed as in the other parts, and he did not conceive there was any part of his district which he could state to be wholly free from that combination, in some of its variations. Major Tandy said, that a similar spirit prevailed in the county of Kildare. Mr. Fitzgerald declared that the resistance was spread over Tipperary, and the South of Ireland, and other witnesses described it as extending over Waterford, Cork, Limerick, and existing in a trifling degree in Kerry; while the noblemen and gentlemen who held the responsible situation of Lords-lieutenant of counties gave the same information with respect, not to Catholic counties, but to the counties of Londonderry, Armagh, and Donegal. The first duty of the Government, when this systematic and organised resistance commenced, was, no doubt, to use all the ordinary means which the law placed at its disposal, to preserve peace and order, and to enforce the legal demands of the clergy. And it would be found, by referring to the evidence given before the Committee, that all which could be legally done with this view, had been effected. The present Government was not to be charged with having either caused, or connived at, these outrages. The seeds of this violence and insubordination must have been—and it was well known that they had been—long sown, and deep rooted. This at least he could say, that before he had the honour of holding the office of Chief Secretary for Ireland, the first illegal notices and declarations against the payment of tithes had already been issued, and the general resistance he had adverted to, was in progress at the time of the present Government coming into office. Every possible protection which a large and even an overwhelming military force, and the employment of the whole body of the police could afford, was given for the recovery of the debts which were due, and the protection of property. He was well aware how tedious it must be to the House for him to recur to the evidence on the subject, and to make quotations from it, but on the present occasion such reference was necessary, as it was that evidence alone which formed the justification of the measure which, under existing circumstances, he should feel it his duty to bring forward. Let, then, hon. Members look to the evidence of Major Brown, who had been on duty in the police, in the county of Kilkenny, and than whom there could not be a more temperate, more able, or more efficient officer. Major Brown thus stated, "on the 3rd of March, I marched into Graigue, with 120 men of the county of Kilkenny constabulary, and on the 4th, the drivers went out with an adequate escort. I was employed upon this duty until the 4th of May—a period of two months, during which time, the police were indefatigable in their exertions, out every day, and frequently twice a day, and traversing a great extent of country upon every excursion." This evidence of Major Brown was abundantly confirmed by that of other witnesses, who spoke on the same subject; and above all, he might refer to the letter of Sir John Harvey, in Appendix No. 11, for the purpose of showing how rapid was the spread of the feeling of resistance. Sir John Harvey, in his letter to Sir W. Gossett, dated Kilkenny, March 27, 1831, said,—

> "This county continues in a very unpleasant state of determined hostility to the payment of tithes. I do not allude to the parish of Graigue, where they have been behaving

better than in any other, owing to the presence of a large force, and to the unwearied, firm, and very temperate conduct of Major Brown. It will be seen, that the presence of a company of infantry at Castlecomer is indispensable; it can be completely accommodated there. The only measure of relief which I have been enabled to afford Mr. Langrishe, of Knocktopher, has been, to order the chief constable from Piltown (Besborough), where all is quiet, to establish himself, with all the disposable constables of his district, until farther orders, at Knocktopher, to protect the drivers and process-servers of those reverend gentlemen. So soon as the company of infantry, therefore, is placed at Castlecomer, the tithe proceedings will be in operation in the greatest part of the county, as well as in the adjoining county of Carlow. The people, however, appear to me to be still looking for some legislative relief upon the subject."

Thus, within two or three months after the first intimation of an organized resistance to the payment of tithes, a military force, in conjunction with the police, was put in active operation through two counties of Ireland, their most active services being fully required by the state of those counties. It must also be observed, that the mode of opposition offered to the Government, and to those who were employed in the collection of the tithes, was such as to render all operations most difficult. These modes of opposition were various, though none of them, perhaps, altogether new in the history of Ireland, for, unfortunately, the tithe system was no novel grievance in that country; but, at all events, various they were, and certainly never before carried to so simultaneous, and, consequently, to so dangerous an extent. Intimidation and violence against the process-server—combination against the seizure and purchase of cattle—in short, every symptom which could mark a determined opposition on the part of a whole population, acting as one man, against the imposition of a legal due, have been developed in Ireland on this occasion. It was impossible for him to refer to all the instances quoted in the evidence as to the amount to which that intimidation and violence went. It would suffice to say, that so much had this system been acted on, that, in the progress of the proceedings, it had not only been difficult to get a process served, but even a matter of impossibility, in many of the towns of Ireland, to get an Attorney to take a fee from a client, or to give his legal assistance for the purpose of obtaining the execution of the law in tithe processes. He assured the Committee that this was a fact, though, no doubt, it would appear so incredible, that he felt it incumbent on him to substantiate the statement by a reference to the evidence. What then did Mr. Fitzgerald say on this subject?—"Supposing even that this difficulty were got over of the serving of the process, the next is to find an Attorney who will undertake to move those processes at quarter sessions; and, in most places, of late the Attornies have, generally speaking, been so intimidated, that they have refused to move tithe processes. In fact, one case came under my own knowledge, where four Magistrates, from a remote part of the country, on their way to attend the Thurles Quarter Sessions upon magisterial business, were mistaken at the entrance of the town of Thurles for four Attornies; and the mob told them on no account or pretence to dare move the tithe processes, for if they did, they would never leave that part of the country alive." The right hon. Gentleman then proceeded to say, "In speaking of intimidation in Ireland, let it be remembered, that the state of the country makes it a very different thing from intimidation in England. English gentlemen, who are used to that habitual security which they derive from the law, who know that the feeling of the whole population of the country is embarked on the side of the law—for there is scarcely any man in this country who does not think it rather creditable than otherwise, to forward the ends of justice—English gentlemen, I say, can have no idea of the extent to which threats and anonymous notices, which in England would be looked on with contempt, have power and influence over the minds, not of the lowest and most degraded, but of persons in a comparatively high and respectable situation in Ireland; nor can they understand how much more easy it is for this system of intimidation to give strength in Ireland, where there is a poor and scattered population, residing in miserable and easily destroyed houses. Let hon. Gentlemen, too, remember, that the population of Ireland is a population short of work, and, therefore, always ready for violence, all of which circumstances render it the more easy for these threats to be carried into effect in spite of the best police, and the most vigilant conduct of the best Government that ever existed. Sir, I have mentioned these things merely to account for that which, without this explanation, might have appeared incredible to English gentlemen, namely, that mere threatening notices, which here would be scorned, should exercise such strong irresistible influence over the minds of respectable persons in Ireland. But, after all, there is no necessity for us to dispute about the question of how far it is reasonable that such methods of intimidation should carry weight with them. It is enough for us to know that they have their influence, and have had long before the present time. From the earliest days of Ireland do we not hear of similar violence being exhibited on the subject of tithes? Has there even a year, or even a month passed, without our hearing of process-servers being exposed to popular violence, carried to such an extent, as frequently to terminate in bloodshed and murder? Nor is this all. The whole of this re-acts again on itself; and the consequence of this violence has been, to render the office of process-server taken up by none but men of desperate fortunes and doubtful characters, who, from their conduct, have, doubtless, too frequently provoked violence in such a way as, if not to justify, at least almost to palliate, the outrages that have been committed against them. But, even supposing that no violence whatever had been exhibited, there would still be sufficient difficulty remaining, for the consequence of the tacit combination that has taken place among the people, has been, that no seizures can be sold. On this subject Major Brown states:—'The whole population was constantly on the watch, and signals made announcing the approach of the drivers and police; the cattle were driven home by the farmers, whenever it was possible, and placed under lock and key; and, as the law did not permit doors to be broken, the seizures made were not so numerous as would otherwise have been the case. The cattle, after seizure, were placed in the pound, and invariably bought by the owners on the day of sale.' The evidence of Sir John Hervey on this point is, also very important:—'By doing what we did at Graigue, employing an overwhelming force, and applying that force to one particular parish for a period of two months, we were enabled, at the end of that two months, to collect about one-third of the arrears due to the clergyman; and by that period another arrear of half a year had become due; so that with all the force the Government could bring to bear in the county of Kilkenny, not a tithe of the tithe of the clergy was collected in the course of two months, but only one-third of one parish.' I have gone thus far into the evidence on this part of the subject, in order that the first Resolution which I have to propose may be fully borne out; and I am quite sure, that if any Gentleman will take the trouble to look over the evidence, he will find that it is impossible to deny that the facts stated in the Resolution are correct. It is true, that at one time we heard a great deal about this opposition being confined to one parish, and, perhaps, it may now be contended that it does not extend beyond two or three dioceses. I am willing to admit that actual resistance has not been displayed in more than two or three dioceses; but if we suppose that the same spirit is not extending to very many more districts in Ireland, we shall very much deceive ourselves; for we shall find, that if we refer to the evidence, that the clergy are under a deep sense of the impossibility of recovering their rights, and the responsibility to which, as men and Christian ministers, they are exposed in insisting on a right which tends to bloodshed and tumult. But, because they feel this, are they to submit to a total annihilation of their income, and to be reduced to the extremest distress? That such is the condition of the clergy is so well known, that it would hardly be necessary to quote single passages in support of the position, were it not that, on a former night, it seemed to be maintained that the clergy were not suffering under that pressing distress which the Government would represent to Parliament as the real fact of the case; and as this is a point on which I should be sorry that the Committee should proceed on imperfect information, I trust that I shall be excused if I subtantiate this part of my argument by one or two extracts from the evidence given before the Committee. Mr. Fitzgerald, in answer to question 173 states, that 'Archdeacon Cotton and the reverend Mr. Woodward have both positively declined pressing their claims. Mr. Woodward said, that he could not conscientiously seek tithes that must be enforced with the probable effusion of blood.' Mr. Fitzgerald is then asked, 'Is it within your knowledge that many of the clergy are, in consequence of this opposition, reduced to great distress?' To which he replied, 'I know that they are in great destitution; men who last year had an income of 800*l.* to 1,200*l.* a year, are this year in want of the necessaries of life.' The evidence of Sir John Harvey is pretty much to the same effect; take this portion as a sample—'You have stated the destitute condition of the clergy in Kilkenny; can you state how many years' tithe may be due to any one of those gentlemen?—I have heard, in some instances, two or three years. What do you mean to imply by their being in a destitute condition; do you mean to say that they have not resources to buy food?—A gentleman, with whom I am well acquainted, told me that he had just been sending a sheep and a few potatoes, and a small note, to a gentleman who was formerly in comparative affluence, and that he had neither a shilling nor a pound of meat or bread in his house.' But I need not quote any further; it is sufficient to say that this evidence is corroborated over and over again by persons who can have no interest in making the matter appear stronger than it really is. Let me, however, just say, that Sir John Harvey, in another part of his evidence, describes the clergy as in a state of most pitiable distress; and in the Appendix, Dr. Hamilton states that 'the clergy are really in a most pitiable state; he knows two in absolute want.' But, perhaps, the strongest instance I can mention is, the statement contained in the letter of the rev. Mr. Moore to Sir W. Gosset. Mr. Moore, at all events, is not one of those sinecurist clergymen against whom there has been such an outcry; he is not one of those pampered individuals who have been abused and cried out against for living in the luxury of the land; on the contrary, he is an individual living—or, I should rather say, starving—on a miserable pittance of 70*l.* or 80*l.* a year, which he cannot get paid. But I will let his letter speak for itself. 'Three years have elapsed since the appointment to my present curacy took place; for the first year my salary was punctually paid, but for the last two years I may say it has ceased. Although my rector is most anxious to pay me my small pittance, yet, from the continued reluctance and increased resistance to pay tithes, he has not the means. It is true, I could apply to my diocesan; for even if the parish were sequestered, I would be unable to collect the tithe; but why should I be so devoid of feeling as to worry and harass an unfortunate gentleman situated as he is, having a family consisting of a wife and seven children to support, for whom he can with difficulty procure food and raiment, although at this moment upwards of 1,400*l.* are due by his parishioners. In the mean time, I would respectfully inquire, what am I to do? In another month two years' salary will be due, and in less than another month, I shall be obliged to make up the sum of 100*l.* Small as my salary (70*l.* per annum) is, still to a man having a family and small establishment to support, as well as to try to support an appearance with those in my own rank, it must be very distressing to want that trifle such a length of time.' After such a statement as that, any talk of the clergy holding large livings, and the receipt of one year compensating for the loss in another, would be absurd; but supposing that the clergyman is a conscientious man, and thinks it his duty not to hoard up his income, but to spend among his parishioners that which he receives from his parishioners, am I to be told that that is an argument for abandoning him, and refusing to do anything to alleviate his unmerited distress? Now, Sir, having thus stated what the distress among the clergy of Ireland is, what the system of opposition to the tithe is, and what is the general result of the whole facts of the case, I will take the liberty of reading to the Committee the first Resolution which I have to propose. It is to this effect:—'That it appears to this Committee, that in several parts of Ireland, an organized and systematic opposition has been made to the payment of tithes, by which the law has been rendered unavailing, and many of the clergymen of the Established Church have been reduced to great pecuniary distress.'—This Resolution, in conjunction with the others which I shall presently read, form a series which I hope will be adopted by this Committee, by which means I shall be enabled, on the part of the Government, to introduce a measure founded upon them. In the first place, I conceive that I may assume that there is no one in this House who will say, that such a body of men as the Protestant clergy of Ireland are not entitled to every assistance that Parliament can afford them. Those who have most objection to the course proposed by the present Government, do not pretend to say that the clergy should not be relieved. Then, if so, next comes the question—how are we to relieve them, and on what principle ought we to proceed? Let me ask, are you prepared to say that, because there has been a systematic opposition made to the payment of these legal dues—because the clergy are deprived of their income in certain districts of Ireland —the Parliament and the country ought to step forward, and make good their loss —and, there stopping, refuse to take any ulterior steps to prevent the recurrence of such circumstances in future? Surely no one will argue thus; or, if they do, then I say that this would not only be an injustice to the clergy, but be a premium given to disaffection—a bribe held out to the violation of the law—a temptation afforded to riot and turbulence. And is this an encouragement which ought to be held forth? Is it the pleasure of this House to say, that because Leinster has been disturbed, tranquil Ulster, tranquil Munster, and tranquil Connaught, tranquil England, and tranquil Scotland, are to pay for the resistance of one unruly portion of the empire? Because Leinster has revolted —yes, revolted, for I cannot use a milder term—against the law, are we for this to relieve the sufferers out of the pockets of the public, by which we shall actually be putting that very amount in the pockets of those whose misconduct has created the whole of this mischief? Are we, in short, to say, that for peaceful men there shall be no remedy, and that for the turbulent there shall be instant protection? Sir, I for one am not prepared, and I do not think that the people of England, or of tranquil Ireland, are prepared to act on such a mistaken principle; and yet surely we are nevertheless bound to see that the clergy do not suffer for that which is no fault of theirs. I know that it has been asked what we would do if an opposition, similar to this tithe-payment-opposition, were to spring up against the payment of landlords' rents. I am willing to meet that question. Let us suppose that a whole district was up in arms against the payment of rent; then I say, in the abstract, that it would be the duty of the Legislature to step forward, and indemnify the landed proprietor, as well as enforce the wholesome action of the law. But, on the other hand, if from the demand of exorbitant rents, and from general oppressive conduct on the part of the landlords, the tenants were driven into outrage, then I should feel that the landlords would come with no case before Parliament, and that if they did so come, they would deserve to be spurned, and scouted from the doors of this House. But is this description applicable to the case of the clergy in Ireland? Have the clergy so acted? Is it the clergy who have fixed the amount of their receipts? Is it the clergy who have imposed on the tenantry an exorbitant payment? Have they ever been charged with demanding more than their right? [*hear, hear!*] I know not whether I am to interpret that cheer into an intimation that the clergy have made themselves liable to that charge; but this I know, that my hon. friend, the member for Armagh, in moving his Resolutions on a former night, distinctly stated that they had not; and certainly the evidence before the Committee shows that the clergy have never been, as a body, extortionate in their demand; and I believe, that if we were to examine this point to the utmost, the conclusion to which we must come would be, that of all the burthens on the occupiers of the soil, that imposed for the subsistence of the clergy was by far the least onerous, as well as the least harshly exacted. This will be the more distinctly seen if we compare the Irish tithe with that which is paid in England. In England the tithe amounts to one-fifth of the rent, and the rent may be fairly computed at one-fifth of the produce; but in Ireland, from all the evidence adduced, and, indeed, from figures that are incontrovertible, it can be shown that the tithes of the clergy scarcely ever amount to one-fifteenth of the rent, and, on an average, are much nearer to one-twentieth of the rent. With these facts before us, I ask with what face Gentlemen can charge the clergy, in the teeth of the evidence, and in the teeth of these facts, with being extortionate in their demand, or can compare them with an oppressive landlord who demands an unjust proportion of the produce of the soil. But the fact is, that the question of the payment of tithes does not rest on the amount of the claim: it is a very different feeling that has given rise to the strong and systematic opposition that for the last eighteen months has been gradually increasing in Ireland, till it has at length risen to its present extraordinary height." He begged pardon of the House for the digression, and returned, then, to the proposition which he had been proceeding to consider. In what manner was it expedient that the sum due to the clergy should be levied? And to him it appeared consonant with all rational ideas of justice and good government that the sum, if levied, should be levied from those who ought to have paid it without any Legislative interference. Well, then, what was the course which his Majesty's Government proposed to pursue, and which had been already pursued in similar cases (for similar cases had arisen on former occasions)? He begged the House, however, to look at the peculiar nature of the resistance in this case. There were precedents in 1786, 1787, 1799, and 1800, and on those occasions—although he did not mean to say that they were alike in all their circumstances—God forbid that he should say the cases were parallel!—but owing to the disturbed state of various parts of Ireland, the clergy were, from the combinations which were then entered into, unable to assert or vindicate their claims. The opposition was to the previous proceedings, and there was this peculiarity in the case of tithes—that a clergyman had occasion to collect from a number of persons making small payments, and was consequently placed in a situation of peculiar difficulty, by the expense and delay to which a combination to resist payment, exposed him. It was with reference to the previous proceedings that former legislative measures had reference; and it was in that way that his Majesty's Government proposed now to legislate in the Bill which would be brought in, if the Committee agreed to these resolutions. On former occasions, it had been left to the clergy to dispense with the notice which, according to the ordinary forms of law, it was necessary to serve upon every parishioner, and in serving which, almost all the scenes of violence, outrage, and bloodshed, occurred. Those measures made a notice exhibited in some conspicuous place in the parish, a sufficient intimation, on the part of the clergyman, of his intention to enforce his claims. This was the case on former occasions, and to this extent the plan which he should propose on the present occasion was the same. But then he might be told that they were using coercive means, and arming the Government with a dangerous authority, by taking from the clergyman the remedy which he ought to possess, and placing it in the hands of a powerful body—the state itself. He must observe here that the charges of extraordinary severity, and of enforcing the payment of tithes at the point of the bayonet, and all such violent language and extravagant charges, were totally inapplicable to the measures proposed by his Majesty's Government, and only tended to prejudice the House and the country unjustly against them. He said that, if it was right to enforce the payment of tithes at all, the course proposed by his Majesty's Government, while it would be effective, was the most lenient, the most indulgent, and the most mild, towards those who were to be subjected to its operation. They proposed to advance to the clergyman a sum of money, forming a very small proportion of his demands of arrears for a year, in consideration of receiving which he should surrender all his claims against his parishioners individually, and place the assertion of his rights in the hands of the Government. In this he deviated from the course pursued formerly, and he thought he should find no difficulty in vindicating that deviation by this view of the case—that in former instances extraordinary encouragements and means were given to those who suffered from the combinations to visit their own wrongs upon those from whom they had sustained them. The present was, in his judgment, a more lenient and a more equitable plan. He would trust nothing—he would not say to private revenge, but to private irritation, or feelings of retaliation or prejudice—and he would leave in the disinterested and indifferent hands of Government, the enforcing such portion of the arrears as they judged could be recovered from solvent tenants, without pressing upon the laborious, industrious, and oppressed classes of the people. The Government felt that they might, perhaps, be enabled to do away with the litigation between the clergyman and his parishioners, by placing itself in the condition in which the former now stood, and by taking such steps for the recovery of his arrears as he was unable to take himself. It was well known to individuals present in the House, that never was there a more abundant harvest than that of last year, and never were the rents better paid in Ireland than in this year. Yet, when 1*s.* 6*d.* or 2*s.* an acre were demanded for tithes, landlords dwelt upon the privations and indigence of the holders of small farms. In levying the arrears, it was not proposed to inflict any severe penalty, but merely to do away with the previous proceedings, which formed a source of litigation, and prevented the clergy from benefitting by the law. The two parties would come, as heretofore, with the same evidence before the same Court, only the full powers of the clergyman would be in the hands of the Government. He begged distinctly to state, that the proposed measure would preclude the interference of private feeling, would cause the clergy to be content with less than one half of the amount due to them—the remainder being left to the discretion of Government—consequently he thought it was impossible for any measure to be more peaceable or more lenient than that which had been stigmatized by the expression of 'cramming the tithes down the throats of the Irish people with the point of the bayonet.' The present was not a Government quick in calling for extraordinary powers, but he must say, that it would not be worthy the name of a government, if it should suffer the population—he meant that part of it which avoided the payment of its just debts—to persevere in successfully daring the constituted authorities, and setting the law at defiance. He knew not what might be the opinion of the House, but this he felt, that, if the Government were thus to be taunted day by day, of such a Government he would not continue a member, and God forbid that it should be ever seen to guide the counsels of the country. Hereafter it would be time enough to enter upon the details of the Bill, if it were brought in; but he had gone thus far to show that it was not a measure calculated to provoke disturbances, or create a civil war in Ireland. He would now state the Resolutions providing for relief, which he meant to propose to the Committee:—'That, in order to afford relief to this distress, it is expedient that his Majesty should be empowered, upon the application of the Lord Lieutenant, or other chief governor or governors of Ireland, to direct that there be issued from the Consolidated Fund such sums as may be required for this purpose. That the sums so issued shall be distributed by the Lord Lieutenant, or other chief governor or governors of Ireland, by and with the advice of the Privy Council, in advances proportioned to the incomes of the incumbents of benefices wherein the tithes or tithe composition, lawfully due, may have been withheld, according to a scale, diminishing as the incomes of such incumbents increase.'" It had been thought right to give the larger proportion to the smaller incumbents. The right hon. Gentleman proceeded to read the next Resolution:—"That, for the more effectual vindication of the authority of the law, and as a security for the repayment of the sums so to be advanced, his Majesty may be empowered to levy, under the authority of an Act to be passed for this purpose, the amount of arrears for the tithes or tithe-composition of the whole, or any part, of the year 1831, without prejudice to the claims of the clergy for any arrear which may be due for a longer period, reserving, in the first instance, the amount of such advances, and paying over the remaining balance to the legal claimants." He had gone thus far through the immediate measure; at the same time, he felt bound to state, that he should entertain great reluctance in pressing these Resolutions upon the House, if they were not to be looked on as pledging the House to the necessity of making an alteration in the existing tithe system in Ireland. He was aware how much the feelings of Ireland had been excited by this question—he was aware that the appointment of the Committee had only delayed a collision—if a collision were to be—and he was aware how much the feelings of the Irish people would be disappointed if nothing emanated from that Committee, and if it failed to express its conviction of the necessity of a change in the system. Though he was not prepared to say what the change should be, the very measure for which he now called was in itself proof that an alteration was required in a system which had continually invoked the interference of Parliament, and which had been for centuries the fruitful source of disunion and bloodshed in Ireland. The laws as they stood might put down disturbances, but he wished he could say that they were sufficient to remedy grievances. He begged not to be misunderstood. There might be radical grievances, and the popular indignation might be directed against a quarter where the evil did not lie. He would boldly say, that the amount of the tithe was not the real grievance of the people of Ireland. It was not because they paid 1*s.* or 1*s.* 3*d.* an acre, under the cover of tithe, that they felt impatient and anxious for a change. He was not going to inquire by whom the tithe was paid; the fact could not be doubted that it appeared to the people to be a charge paid beyond the rent, and to persons who, according to their expression, gave them nothing in exchange. He had no doubt that, in the competition for land in Ireland, covenants were entered into, in the first instance, by landlords, knowing that they would not receive, and by tenants, conscious that they could not pay, the stipulated amount. The removal of the tithe would only afford an additional facility for collecting an exorbitant rent, and no relief whatever would be afforded to the tenant. He would admit the grievance, as it was felt by the tenant, of being called upon to pay the minister of a religion not his own. He (Mr. Stanley) did not assert that the burthen of the payment ultimately fell on the tenant, but the money came directly, and, in the first instance, out of his pocket, who was not a member of the Protestant Church, and it went into the hands of a Protestant clergyman. So far as the religious argument was concerned, he begged to remind the Committhe that it made no difference whether the payment was one shilling or one farthing; for the payment of the latter sum was as great a burthen as the payment of the former on every man who was a conscientious dissenter from the Established Church of Ireland. It might appear extraordinary, but so the fact was, that the grievance consisted in the smallness of the sum which each individual paid in the shape of tithe. He did not mean to say that any tithe-payer wished to pay a larger sum; but there was evidence to prove that, if the charge for tithe were 5*s.* an acre, that charge would not be lost sight of either by landlord or tenant, when they were bargaining for a farm of forty or fifty acres, whereas, at present, the charge per acre was so insignificant that neither tenant nor landlord took it into consideration at the time of taking the lease. When he said that the smallness of the sum paid constituted a grievance, he meant also to say, that the demand of the clergyman on the holder for a sum in itself so insignificant, being repeated in different shapes at different times, acted as a perpetual blister upon the person who had to pay it. On this point he would appeal to the analysis of the returns of the number and value of applotments assessed for the payment of tithes in each of the last fifty parishes in Ireland in which the Composition Act was carried into effect, the two last parishes in each diocess having been taken. According to that paper he found that 12,824 persons were called upon to pay 11,300*l.* tithe. Now, this 11,300*l.* tithe was not all paid at one time, nor to one person; but it was paid to the rector, to the vicar, sometimes to the curate, and always by half-yearly payments. Thus there were often six, seven, or eight claimants on the tenant, and, as they made their demands twice a year, the amount paid to each claimant, on which actions might be brought, and, what was worse, heavy fees might be paid, was often as low as three farthings for each half-year. They had been told, that in England no such demand could be made, and that it was harsh in the clergy of Ireland to enforce it. Let hon. Gentlemen recollect that the minute subdivision of land in Ireland—that fatal curse under which it now laboured—was the cause of this grievance, and that, if the clergyman were to forego the tithe which he was entitled to receive from the garden of the cotter, he must often forego the whole of his income. Let them also recollect that it was the landlord and not the clergyman of Ireland who was guilty of making this minute subdivision; and then he was sure that it would be unnecessary for him to vindicate the clergyman from the charge of extortion in getting his living out of the tithe extracted from these minute portions of land. Independently of the grievance, that tithe was to be paid on religious grounds, and also on the immense number of persons who had to pay it, he thought he might put forward as another ground for a change of the present system that the clergy of the Established Church in Ireland themselves required it. They felt that a system which brought them into perpetual collision with the occupying tenants of the land was a system which ought not to exist in any Christian congregation between the pastor and his flock. They felt, too, that, differing as they did in belief from a majority of their parishioners, they ought to avoid the discussion of all irritating topics, for the sake of themselves—for the sake of their parishioners—for the sake of harmony—for the sake of the peace and tranquillity of Ireland; and of this he was certain, that they would catch with eagerness at any change of system, which would secure them a respectable maintenance, and place them in a situation in which they could act, if not in the character of clergymen, at least in the character of resident gentlemen, upon the inhabitants of the land, which afforded them subsistence. If the Committee would only look upon the clergy of Ireland in the right of resident gentry, it would see that, in that capacity, if in no other, the clergy were of inestimable benefit to the poor of Ireland; and he believed that if tithe were abolished in Ireland, and the connexion of the clergy with the landed property of the country were destroyed, the peasant, when he lost the resident clergyman, would lose one of his best friends, and one to whom he would look up with esteem and gratitude as the minister of a Christian Church, though not, perhaps, the minister of his own Church, on account of the benefits he had received at his hands. With a view, then, to remedy the real grievance which now pressed upon Ireland—with a view to the alteration of a system which was the fertile source of litigation and bloodshed—with a view to place the clergy of the Established Church in a situation in which they might be more useful than they were at present—with a view also to promote the harmony and consequent prosperity of all classes and denominations of his Majesty's subjects in Ireland, Parliament was bound to hold out some definite hope and pledge to the people of Ireland that it would give to them an extensive change in the present system of maintaining the clergy of the Established Church. In whatever way that change might be made, at whatever time it might be effected, it must ultimately prove a charge upon the land. Gentlemen might flatter themselves that they could relieve one class at the expense of another—they might do so in a certain mode and for a certain time; but ultimately all their legislation would be defeated by the free competition which, in this country existed between the different classes of the community. He did not, therefore, call upon the Committee for any definite resolution as to the mode in which this change was to be effected. But when he pointed out the way in which the present system operated as a grievance he thought that he did sufficient to call the attention of Parliament to that branch of it in which the remedy ought to be applied. There was one point to which he had hitherto forgotten to advert, and which he considered to be important, namely, that it was in the essence of tithe to be a tax, not on land, but on the successful cultivation of land; in other words, that the amount of tithes was proportioned to the labour and the talent which the tenant employed in making the soil productive. That was a point in which he thought that the law must of necessity be altered. The tithe Composition Act had fixed the rate of tithe to a certain amount for a period of twenty-one years; but the tithe Composition Act did not, in his opinion, go far enough. It did not go the full length of placing the burthen so that it should not be increased on the improving occupying tenant. He did not, however, mean to say, that the income of the clergyman ought not to bear a proportion to the improvement of the country, but it was for that very reason that he wished the charges of tithe to be fixed on land, because that portion of it which was allotted to the Church would be open to improved cultivation as well as the other parts, and the whole of the parts would continue to bear their present relative position. In proposing to the Committee the Resolutions which he had already read, he wished it to be distinctly understood that he was desirous of obtaining the approbation of Parliament to them as a whole. He earnestly entreated the Committee to bear in mind the language used in the Report.

> "Your Committee, in the meantime, will devote their unremitting attention to the prosecution of the important inquiries intrusted to them by the House; but they earnestly entreat the House to bear in mind that the satisfactory operation and permanent maintenance of any plan that can be adopted must depend upon mature previous consideration of its practical details. An arrangement is to be made, not merely of a prospective nature, and attaching to new and unsettled relations between the parties concerned, but an arrangement by which existing and frequently conflicting interests are to be affected, and which is to be general in its operation throughout a country wherein the tenure of land is peculiarly complicated and various in its character."

"If, then, Ministers," said the right hon. Gentleman, "before they are prepared to lay a measure of relief before the House, call upon it on the one hand to give a pledge for an alteration of the system, and, on the other, to vindicate the authority of the law before the violations of it which now exist become more grievous, their excuse must be found in this consideration—that much of the efficacy of their remedy depends upon the promptness with which it shall be applied. We, therefore, call upon the House to teach Ireland a lesson of which she stands too much in need. We call upon the House to teach her that she may safely look to the justice of England; but that she must not expect to work upon us by fear—that we are willing to yield to her well founded complaints, but that we are not to be overawed by turbulence and violence —that we are as ready to remedy her real grievances as she is to point them out to us for redress; but that we will not allow those who are guilty of violence or disobedience to the law to profit by their own wrong, and to benefit by their own misconduct. In a word, we call upon Ireland to put herself into friendly relations with England; for such a union will afford the surest means of remedying every grievance which may happen to exist in every portion of the British dominions, and is above all things necessary to the successful issue of this measure, on which not merely the prosperity but also the existence of Ireland, as an integral part of the empire, essentially depends." The right hon. Gentleman concluded by moving the Resolutions, which he had already read to the Committee.

Mr. *Jephson* was convinced that the right hon. Gentleman, and the Government of which he was the organ, were deluding themselves in supposing that tithes were the real grievance of Ireland. To that delusion he would be no party, for he verily believed, that if they were to convert the tithe into a land-tax unaccompanied by other measures, the effect would be to convert the gentry of Ireland into Whiteboys and rebels, and to add them as leaders to the discontented peasantry. He predicted that there would be no satisfaction in Ireland until they made a revision of the Government, the discipline, and the revenues of the Church of Ireland. Tithes, he repeated, were not the real grievance of Ireland. Neither were the clergy such harpies as some persons had represented them to be. They ought not to be blamed, because the law had devised a mode of recovering their tithe, which was at once grievous and expensive. He would not do away with tithe altogether, and, for this reason, he was not an advocate for a free trade in religion. A free trade in religion might do in a new state like America; but if it existed here, he was afraid that many of our pastors would do nothing but prey upon the passions of their flocks. He looked on tithe as a fund set apart for the religious purposes of the country—that, so far was he from wishing to deprive the Established Church of a maintenance from the tithe, that, conceiving that the tithe fell upon the landlords eventually, he claimed that the landlords, being generally Protestants, had a right to demand that their clergy should be maintained out of this fund; but, at the same time he did not think they could properly claim a monopoly of the whole sum, or more than was sufficient for the decent and respectable support of the clergy. The remainder ought to be applied to the religious wants of the rest of the community. The Popish church, when expelled from Ireland, had taken its revenge upon the country by leaving behind it the poisoned garment, which, in the shape of an aristocratic clergy, and a richly endowed bench of Bishops, had eaten into its heart, and all but destroyed its powers of vitality. He would conclude, by protesting against the third Resolution of the right hon. Gentleman, on the ground that tithe was not the cause of the agitation now prevailing in Ireland. The real cause was the large revenue of the Church of Ireland, and the scanty manner in which the comforts of religion were extended to the poorer classes in that country. Until some alteration were made in that system, it would be vain to look for the restoration of tranquillity in Ireland.

Mr. *Brownlow* said, that the Resolutions before the Committee involved to a very serious extent the interests of Ireland. He could not suffer them to pass without observing that they were then upon a question involving the consideration of the religion and the Church property of Ireland—a subject which few Members of that House approached without great timidity and solicitude. When he called upon the House the other evening to defer going into the Committee on the subject of Irish tithes, he by no means meant to deny that the question of the Church property of Ireland was a most serious and a most important question, nor that it demanded the deepest consideration; he, on the contrary, felt it to be of such moment as to wish to delay the proceedings in that House until the information was complete. He was not disposed either to deny, for one moment, the difficulties under which the clergy of the Church of Ireland laboured, for they were involved in evils which demanded as instantaneous a remedy as the House of Commons could devise. His only motive for opposing the proposition that the Speaker should leave the Chair, was from a conviction in his own mind that, if the Committee upstairs was prolonged for a very few days, the additional information which they might thereby gain would enable them to Report to the House on the whole question. Such were his reasons; but, as they had been overruled by a large majority, he felt the sense of the House was adverse to his opinions, and he had ceased to oppose going into a Committee. He had listened to the Resolutions proposed by the right hon. Gentleman with great attention, and now they were before the Committee, the question was, what answer the Committee was to give them? The first Resolution, as he understood it, related to the condition in which the Irish clergy found themselves. He acknowledged that it was a grievous condition; and he was also ready to adopt the words of the right hon. Gentleman, and say, that they had not been brought into it by their own fault, for he would admit that there never was a body of men who had acted with more moderation, or who had more truly exemplified, in their own personal demeanour, the Christian doctrines which they taught, than the great body of the clergy of the Church of Ireland. The right hon. Gentleman had stated several individual cases of hardship, but he might without difficulty have found others equally strong. Among others, the right hon. Gentleman had adduced the case of the reverend Mr. Moore whom he stated to be a curate, at a salary of 70*l.* a-year, not one farthing of which he had received for the last three years; but he had overlooked one of the most distressing parts of it, for in a part of the letter he had quoted, that reverend Gentleman stated that, if he could not raise 100*l.*, which he had been compelled to borrow on the non-payment of his salary, he was likely to go to gaol, and thus be disgraced in his profession and ruined in his prospects. Another most lamentable case was that of the reverend Mr. Faulkner, the curate of Templemere; it appeared, that had it not been for the allowance made by the Government, for his performing Divine service to the troops, he would have been actually deprived of the means of subsistence. He came then to the question, were the clergy the owners of tithes? Who were the owners of them? If they belonged to the clergy and no other persons, they ought to be protected by the law, otherwise the law was of no use to them. The Legislature was bound to protect them in the peaceful and secure enjoyment of their property. How could they be expected to obey the law unless the law gave them protection? "Behold the plaintiff in the pulpit and the defendant in the congregation," was the eloquent and accurate description given by Grattan of the situation of the clergy in 1786 and 1787. He thought that description painted in strong colours the true situation of the Protestant clergy. Behold the clergy now heading the King's troops or the constitutional police to levy their tithes, and their opponents the whole population of the country. If that were the true state of the clergy, was it not time to provide some remedy? If it was just and right, as the Government proposed, that the amount of tithes now due should be paid out of the Consolidated Fund, it was in his opinion, equally just and right that the sum thus advanced should not be paid at the expense of the ordinary tax payers, nor from the pockets of the peaceful subjects of the Crown, but that it should be on all occasions exacted from the parochial defaulters. This was the view he took of the question; and, in connection with it, he would take leave to ask the right hon. Secretary one question. In this attempt to render justice to the clergy, by recovering the sums legally due to them, had he calculated on the state of the farmer and peasant who would be called on to pay—and was he prepared to protect them from the consequences of the system of intimidation which had been so long prevalent in Ireland? He knew—although for obvious reasons he would not mention names or places—that many of the peasantry were, although hostile to the system, still willing to pay their tithes, but that they did so under fear; and that when they came to comply with the demands on them, they intreated the receiver not to say he had been paid, and begged him, in mercy, to keep secret the names of those who had come in. He now begged to ask the right hon. Gentleman if he had provided protection for these persons, or if he was prepared, as it was the duty of the Government to be, to put down the system of intimidation which would probably be renewed on the attempt to collect the arrears of the tithes. He wished to know what means had the right hon. Gentleman proposed to introduce by his Bill to infuse new spirit and life into the dead letter of the Irish law, and to afford protection and succour to the person thus running the risk of incurring the resentment of those who, being leagued against the law, had denounced those as traitors to the public cause who complied with, and obeyed the law? This was a consideration of great weight with him ere he gave his acquiescence in a project of improvement such as this, though recommended by the ability and sincere desire of his right hon. friend for the true welfare of that alarmingly agitated country. With far different feelings from that of any hon. Member paying his ordinary debt, and filing the receipt given for it, must that farmer or peasant ponder on that receipt which would be looked on by those opposed to him in feeling, on this subject, as evidence, clear as noon-day, of his guilty acquiescence in that which the people had denounced. With what agony of apprehension and terror must not that individual look upon that receipt, which, in the present state of the inefficiency of the law, was but too likely to prove the cause of the consignment of his property to the flames, and the death-warrant of himself and family—executed, possibly, in the lonely hour of night, by the relentless hands of his near neighbour? Most Catholics, it was known, had a positive moral objection to the payment of tithes, and that objection serving in the place of conscience and opinion, made them too reckless of what else they did to fulfil that. He approved of the substance of the three first Resolutions, but he disliked the fourth, or the coercive portion of the plan, and his reason for it was, that it was not accompanied by anything which would satisfy the great body of the people, or mitigate that ground of discontent which had overspread the country. The plan was imperfect to this extent, that it introduced no substantial change in the system which had created all the disturbance, and which the people of Ireland had united to condemn. The right hon. Gentleman's Resolutions might, it was true, be satisfactory to those who contemplated the continuance of the present state of the Established Church of Ireland, but he would only say at once, that the system could not last—that it was founded in a great mistake—that it was bottomed in delusion—that it was a gross anomaly. Of what advantage was it to the country or the people? You could not hope it would give the people moral or religious instruction, for the great mass were Roman Catholics, and how could they expect that there would be any exercise of charity or good-will when the Ministers of the Established Church lived in a state of perpetual warfare with the whole body of the population? If they hoped to put an end to the dissentions of Ireland and to give satisfaction to the people, they must at once make up their minds to deal with the property of the Church as they would with other public property, and to make it applicable to its original purposes to the furtherance of charity by the support of the poor in conjunction with a proper maintenance for the clergy. By adopting that course—by rendering the Church Establishment one which answered the purposes for which it was instituted, and which, therefore, presented grounds on which it could be defended, were the only means through which they could hope to maintain that Establishment in Ireland.

Mr. *Hume* reminded those who were now so anxious to adopt some measures to redress the grievances of Ireland, that when he proposed to them to be wise in time and to avert by concession the evils which he saw awaited them, he was greeted from all sides with the cry of spoliator and plunderer. What the Government were about to do now, was precisely what he recommended then; and although he could not but approve of a portion of their plan, he must say he could not see why they did not go along with him still further and remodel the whole Establishment of the Church of Ireland—for until that was done he was confident the people never would be satisfied. The right hon. Gentleman had told them that it was the intention of the Government to hold out the hand of conciliation to the people of Ireland; but how did he propose to commence his system of conciliation? Why, by calling on the House for extraordinary powers to suspend the laws in order that the people might be compelled to pay up the sums already due to the Church. They had 30,000 men, they were told, in Ireland at that moment, and if they were found insufficient hitherto to collect even a tithe of the tithe, how, he would ask, did they hope to collect it hereafter, or what force did they suppose would be necessary for that purpose? How did they imagine they could overcome the resolves of a united people—of a people determined to resist to the last. He could read to them, if it was necessary, speech upon speech, delivered at the commencement of the contests which led to the American War, in which one Member of the House after another said, that all they wanted was more force and efficient laws; and yet what, after all, did the whole power of England do against an united people? In just the same way would the Irish resist, if they were driven to extremities. He was rejoiced that the Government had determined to make sacrifices to conciliate the feelings of the people; and although an hon. Member expressed doubts respecting the willingness of the people of England, to consent to give money out of the Consolidated Fund for such a purpose, he thought the hon. Member was mistaken. He, for one, was quite willing to give the money. He gave it in confidence to the Government: not because they were about to put the law in force with additional severity, but because tithes were at last to be abolished, and a system of compensation introduced in their stead. He was confident the people of England would not object to the arrangement. The question was not an Irish, so much as it was an English question, because it would enable England to conduct the Government of Ireland, for the future, without an immense expenditure, and that unfortunate spirit which had hitherto marked their connection. Let the Government try to bring the Irish within the pale of the Constitution by acts of kindness and conciliation. They asked but for justice. Let the Government give them that justice; but let it not, at the same time, profess to bestow a boon on the Irish, while it insisted on the rigid Administration of laws which were in themselves unjust; but rather let the Government give to the Irish those improved laws which they had long claimed and deserved. By the Resolutions before the House the Government professed to conciliate the people; but, at the same time, in the last Resolution it intimated that it would first try again what coercion was likely to do, and how far fire and the sword could command success. He was confident, if the House adopted this recommendation, England would be placed in a situation with regard to Ireland which few of them would like to contemplate. He thought it would be both wisdom and prudence, on the part of the Government, to declare an intention to go into a review of the whole Church Establishment of Ireland. He knew that Ministers had business enough on their hands; but if they were once to announce such an intention, they might take their own time to carry it into execution; and if they were to allow the Committee now sitting to take all the evidence they could collect, and make a Report on it, he was certain that evidence would satisfy every impartial man in this country that all attempts at coercion would utterly fail for the collection of tithes. He believed the Ministers meant as well as any men could do; but they were proceeding under bad advice, and they would fail. For his part, he regretted being compelled to differ with them, but he could not give his consent to the third Resolution, and he should vote against it.

Mr. *O'Connor:* The present discussion involves a question of such vital importance to Ireland, that it is almost impossible for any man who feels an interest in the welfare of that country to refrain from expressing his anxiety for such a settlement of the question as might be equitable, at all events, and satisfactory if possible. Nevertheless, I must say, that for my own part I should infinitely prefer consigning its adjustment to fair, impartial, and intelligent Protestants, to making even the slightest suggestions myself, lest they might be supposed to emanate rather from that jealousy to the Church establishment which has been so charitably imputed to persons of my religious persuasion, but which I wholly disclaim, than from a deep conviction of the miseries inflicted upon Ireland by the present tithe-system, and an anxious desire to co-operate in any endeavour to mitigate their enormity; but, however reluctant I might have been on that account to take any part in any discussions on the subject, and however determined I was to refrain from doing so, yet, as I have been given to understand that I shall receive little credit for delicacy of feeling by observing silence on the one hand, and that on the other I should be accused of indifference or remissness, I hope I may be allowed to make a few observations on the Resolutions that have been submitted to the House by the right hon. the Secretary of Ireland. Appreciating the difficulties by which the Government is encompassed, and being fully impressed with the conviction of the sincerity of the intentions of Ministers and their wishes to promote the general good of the country, I own that it is with great reluctance that I feel obliged to dissent from any part of any of the measures which are proposed in the Resolutions that have been submitted for the consideration of this House. The first of these Resolutions is merely declaratory—the others recommend the advancement of a sum to meet the exigencies of the present incumbents, from whom tithes have been withheld—the recovery of the arrears of tithes by extraordinary measures of coercion—the abolition of tithes in future, and the substituting for them either a land-tax or a portion of the land itself. In the first proposition I sincerely concur. I think that with the present incumbents the country has contracted a solemn covenant which it would be cruelty and injustice to violate, though the history of England might furnish precedents for such a violation, and from whatever funds their wants can be supplied, they ought to be relieved from their present privations, and protected from the recurrence of them. With respect, however, to the collection of the arrears of tithes by measures of extraordinary coercion, I question its possibility; for, in every free State, there is a moral force which is paramount to every physical power that can be brought against it—I mean the force of public opinion; that force which, in many cases, supersedes the necessity of all law; and, in other cases, is the sanction that imparts to law its stability and efficacy—that force of public opinion is most undoubtedly at this moment running in full tide against the tithe system; and I do think, that any recourse to extraordinary measures of coercion will only precipitate the ruinous downfall of that establishment, which might have been remodelled and secured by an earlier adoption of measures to lighten its pressure on the community. But the recovery of the arrears of tithes has been always one of the features in the system that has excited peculiar aversion, and been the source of the most unjust exactions. And upon whose testimony are those arrears to be recovered? Upon the oaths of tithe proctors, the most heartless, the most unprincipled set of men in existence. I speak of them from experience as a Magistrate; I have known the most exorbitant demands to be made and sworn to as just and equitable, and at the lowest valuation, and yet upon inquiry they were found to be most unjust exactions; but without dwelling on these instances, I shall mention a circumstance that lately occurred in the county which I have the honour to represent. Two of the most upright and intelligent Magistrates were impeached on the oath of a tithe-proctor for neglect of duty. The Lord Lieutenant deputed two of his Deputy-lieutenants to inquire into their conduct, and these Magistrates had to descend from the Bench, where they administered justice with credit to themselves and to their country, and to appear as criminals at the Bar before Deputy-lieutenants who differed from them in politics, but who, being men of honour, pronounced the charge to be false, frivolous, and vexatious. But, Sir, it is asserted that it is necessary to vindicate the majesty of the law. Without at all meaning to detract from that reverence to which the law is entitled, may it not be questioned if the law does not divest itself of half its majesty from the moment that it forfeits that high attribute that best entitles it to respect the attribute of justice? From that moment, it may still, it is true, retain power, but may it not too closely resemble the power of despotism? And certainly there arises this worst of all possible consequences from its continuance, that the hatred it engenders, and the hostility it awakens are extended to the most just, the most equitable authority. The remedies for the grievances of the tithe system should have been earlier applied; delay has been dangerous; the evils were known to exist, and yet they were not redressed until the people extorted from the country and this House the confession of their existence. The right hon. the Secretary for Ireland, when he first brought this question before the House, detailed some of these grievances, and this House acquiesced in the truth of his statements; but it should not be forgotten that but for the reclamations of the people the injustice with which they were treated would have remained unnoticed. I wish not to palliate the excesses which they have occasionally committed. I deplore the commission of these offences deeply, sincerely, and unaffectedly; but let those who condemn them remember the grounds of dissatisfaction which were so long allowed to remain unredressed; and let them not be disposed to undervalue just complaints because, they were attempted to be redressed, unhappily, through the infraction of the law. If the endurance has been long, and the grievance most oppressive, it may be wise to make some remission of arrears which may be difficult to ascertain, and still more difficult to collect. At all events, before this House accedes to the proposal to invest the Government with additional power, the Government should distinctly state what that measure of relief is which is to compensate for extraordinary coercion. If the measure be satisfactory, coercion will be unnecessary; if it be unsatisfactory, coercion will be useless. That relief from the present system should be granted is universally conceded. Ought then the balance of the former evil to be rigorously exacted, because it is so written in a bond which ought long since to have been cancelled? The physical power of the executive there is no necessity to prove; convince the people that the measure in contemplation will effectually relieve them, and they will, I trust, cease to offer even passive resistance to the collection of much of these arrears. What that measure should be is, I am aware, a question of such complicated difficulty, that I do not presume to be equal to its solution; but when arguments have been advanced in which I cannot agree, I may be allowed to express my dissent from them. I must premise that I concur with those who are of opinion that the landlord should not derive any advantage from the abolition of tithes, but I cannot conceive that tithes fall on the land alone, and that, therefore, the land alone should be responsible for the whole amount. I must confess that I ought to distrust my opinion when it is at variance with that of the noble Lord, who stated that such an opinion could only result from gross ignorance, or worse; of the former he may, perhaps, easily convict me, but I trust I shall be acquitted of intentional error, or intentional misrepresentation. I think I can adduce a case in which the tithe did not fall on the land in the least; I know that an experiment was made on a bog thirty-six feet deep, and so wet that it was necessary to place boards under the feet of the men who were tilling it, and yet with considerable labour, and an immensity of manure, that bog that very year produced the finest crop of potatoes I ever saw. Now, if the tithe of these potatoes were exacted, would it not be entirely the tithe of the labour and capital, and not of the land, which was worth nothing—which was absolutely nothing but the locale on which to expend labour and capital—and which ceased to be worth anything from the moment the crop was extracted from it? And, therefore, is it not fair to infer that tithe is a compound, and not a simple charge, and that industry and capital are some of the ingredients of the payment? A landlord may lease ten acres of ground to each of two tenants: one is idle and poor—the other industrious and rich; the one will, of course, pay no tithe—while the other will pay tithe to a considerable amount. In short, I think there are numerous instances which would prove that tithe does not fall on the land alone; and that, therefore, the landlord alone should be responsible for the full amount. I know that in refutation of this my opinion it is asserted that the landlord receives even a higher rent for land that is tithe free, than the amount of tithe added to the usual rent. This does not bring conviction to my mind; he now receives a higher rent because such land is used for the evasion of tithe. A man will till that ground alone; he will have on that ground all his titheable articles, and thus free the rest of his grounds from their produce. But it does not follow that if all lands were tithe-free they would rise in the same proportion. Again, it is said, that the abolition of tithes would benefit the landlord alone; would it not benefit the occupying tenant—would not new leases be modelled by the surviving leases of the adjoining grounds? Is it not a well known fact, that the more a landlord is distressed the more he will distress his tenantry; and if it be true that the tenant will not be in the least benefitted by the abolition of tithes because the whole amount would go into the pocket of his landlord, it must follow that he cannot be benefitted by the whole amount being taken out of the pocket of his landlord, except in so far as the landlord might be a more merciful tithe-proctor. Do I wish, in saying this, to assert that the landlord should be allowed to profit by the abolition of tithes? By no means; but if a new mode of assessment be proposed for the express purpose of relieving the peasantry, it should be much smaller in amount, or it should be allocated for advantage, otherwise you leave the evil unredressed, and only increase the unpopularity of the landlord by making him the tithe-proctor; and thus endanger both rent and tithe. I certainly feel that the landlord should make some sacrifice for the benefit of his country; but if he be willing to assume, upon his own shoulders, the collection and payment of the whole present amount of tithes, without any prospective provision for the poor, let him recollect that imperious necessity will, ere long, inflict another charge upon the land, by the inevitable introduction of Poor Laws into Ireland. It must also be recollected, that the very first act of a Reformed Parliament will most probably, be the repeal of the Corn Laws; all agricultural produce will thus be depreciated, and tithes would be depressed, were their payment continued. This consideration ought not to be overlooked in adjusting the mode and the amount of any future permanent provision to be substituted for tithe, whether that provision be a land-tax, or land itself. With respect to the latter, whatever arguments tend to show that it would be an injury to the landlord, or little benefit to the people, to substitute a land-tax for tithe, equally militate against assigning land itself for that purpose. Besides, so many various and conflicting interests would have to be consulted and reconciled, that the difficulty of a satisfactory adjustment, in this respect, would be infinite. Perhaps it might not be even quite consistent with the safety of the Church itself, to add more land to the millions of acres which she already possesses. Were these lands sold or leased for their full value, and the amount well administered, how splendid might be the Church Establishment! Above all, if the number to whom it is beneficial be taken into account—a million of acres for the clergy of half a million of Protestants. Still, I am of opinion, that the rights of the present incumbents should be respected; but when they pass away, according to the ordinations of Providence, the general opinion is, that their incumbencies revert to the Crown, are at the disposal of the State, and, thenceforward the clergy should be remunerated according to the ratio of services required from them in the first place, and performed in the next. As ministers of the Established Church, they should be supplied with all that is necessary to supply the wants, and contribute to the comforts, and even the elegancies, of life; but their best friends ought not to wish for them such an accumulation of wealth as would seem incompatible with the simplicity of a Christian Church, especially in a nation of paupers. I hope I have abstained from any observations that could give pain or umbrage to any individual. I am anxious for the maintenance of law, the preservation of religion, and the security of property; but I do not think that the disturbances relating to tithes necessarily tends to the subversion of property, or that a different allocation of part of them would endanger the Protestant religion. Tithes were transferred, at the Reformation, from one religion to another—tithes were materially affected by the Agistment Bill in Ireland—tithes have nearly vanished from the whole face of Europe; and yet, in all these vicissitudes with respect to them, private property has been respected, because, in its preservation, the great body of society must feel a community of interest—an identity of feeling—as well those who possess, as those who hope to acquire and transmit property. Neither do I think, that the payment of tithe necessarily involves the diffusion and preservation of the Protestant religion. In the parish in which I reside in Ireland, there is not one single Protestant inhabitant; and can it be said that, because tithes are collected in it, the Protestant religion is thereby diffused or preserved in it? Of that religion I wish to speak with all possible respect; for some of its ministers I entertain the most sincere regard and esteem; and if there be some individuals who avail themselves of every opportunity to disparage the clergy of my religion, I have too much respect for religion in general to recriminate, even if I had the opportunity of doing so. But I do not measure religion by the amount of temporalities annexed to it. On the contrary, were I asked what would be the most efficacious expedient to alienate the Catholic people of Ireland from their clergy, I should say, most unhesitatingly, that it would be, the compelling them to pay to their clergy the same amount of tithe which they now pay to the Protestant hierarchy, collected in the same way as at present; according to which, a man may pay, this year, 1*l*. for his tenement, and 2*l*. the next, if he be industrious; and 3*l*. the next, if he irritate a tithe-proctor; and nothing the year after, if he neglect his farm, and prefer voluntary ruin to the galling necessity of succumbing to unjust exactions. Thanks to the Government, the mode of collecting tithe will, at all events, be altered. This good will result from inquiry. I wish I could support the whole measure; but, to invest Government with extraordinary powers of coercion, I, for one, cannot consent, while ignorant of the remedies to be applied to the evils of the tithe-system.

Mr. *William Peel* said, that it was impossible that a more important question than the present could come before the House, being neither more nor less than whether illegal combinations and base conspiracies should attain a power above the law, or whether the rights of property should be respected, the rents of land paid, and the taxes imposed by that House collected. That was the real question they had now to determine. He was of opinion that the existence of the Protestant Establishment, both in England and Ireland (for he would not separate them as the noble Lord, the member for Devonshire, had done) depended upon the course now taken by the Government and the House. He did not believe, that that Establishment would have been so attacked, or placed in a position of such jeopardy, if a feeling had not existed amongst its enemies, that those in power were not very anxious or zealous in its defence. He believed that they would never have heard of this question of tithes if the present Government had not been formed. If that Government had not existed, Ireland would not have been in its present state. Was it not natural that the enemies of the Protestant Church should be encouraged in Ireland, and the confidence of the Irish Protestants towards the Government destroyed, when they saw that, upon a motion formerly made by the hon. member for Middlesex, for despoiling the Church of its property, of forty-six English Members who voted for it, eleven were now connected with the Government, and two of them members of the Cabinet? It had been stated frequently by that hon. Member, that the revenues of the Church were public property, and that, therefore, that House could apply it to what purposes it thought fit. He would tell the hon. Member, that the House had no more right to touch the property of the Church than they had to vote away his private estate. They had no right to do it whatever; and if ever such a right were usurped, he should then feel himself equally at liberty to vote for the confiscation of the hon. Member's estate, if he thought proper. He would put a case to the hon. Member. In a township with which he was connected, a pious individual had formerly built a church for the convenience of the inhabitants, and endowed it with lands for its support. With what show of right could the hon. Member, or that House, seize upon that land as the property of the State? He cordially concurred in the vote of the proposed sum from the Consolidated Fund, to meet the claims of the incumbents of those benefices where tithes had been refused, depending upon the Government for afterwards enforcing the law. He was aware, that some alteration was necessary to be made as to the mode of collecting the revenues of the Church in Ireland; but what he insisted upon was, that there must be no surrender to dishonest conspiracy, or illegal combination. The King had taken a solemn oath to protect the Protestant Church in its possessions, and God forbid that the King should ever have a Minister capable of advising him to disregard its obligation.

Mr. *Carew* thought, that it was necessary to administer some relief to the clergy of Ireland, but it ought not to come out of the pockets of the people of England. He must add, that he had the utmost confidence in the present Government with regard to their measures for Ireland, and he should support them so long as that confidence remained unbroken.

Colonel *Conolly* fully concurred with the hon. member for Middlesex, that the question was as much an English as an Irish one, and that whatever was now done with regard to Ireland could not hereafter be refused in England. He was glad to hear the subject brought forward with so much ability and clearness by the right hon. Gentleman, and he did hope, that the law would hereafter be better enforced in Ireland than it had hitherto been. It was evident, that an armed combination for the subversion of property existed at present, which combination ought to be immediately put down. The present state of that country was most awful. It was much worse at this moment than it had been at any time during the last thirty years, and he hoped that Government would use with energy the means that were in its power to put an end to such a state of things. He thought that the wants of Ireland did not so much consist in legislative enactments as in the enforcement of the laws which already existed; although he should be very glad to see some arrangement adopted, by which the anomalies connected with the Tithe-laws would be removed. There was nothing new in a proposition of that kind, because the Tithe-composition Act had already effected a considerable change in the system; but the application of the funds of the Church to any other purposes than those of the Church would be the most daring robbery that ever was perpetrated. It had been assumed in the House, that the whole body of the Irish people were in combination against the payment of tithes. He denied that to be the fact. For two years he had been in constant correspondence with the clergy of Ferns and Leighlin, and he knew that people paid their tithes without compulsion, but secretly, for they dreaded the vengeance of the conspirators, who, he verily believed, had been emboldened by the Government, which had not pursued a straightforward system. Had the Ministers made the declaration which the clergy called upon them to promulgate in the month of October last, they would have prevented that delusion in part, which had since taken possession of the minds of the people, that the Government were adverse to the claims of the clergy. He himself felt, that the land was fairly subject to the tithes. He spoke as a landlord, and, therefore, he had no objection to the transfer suggested. That was the way the question ought to be viewed, and if viewed so, there would be little difficulty in making an arrangement to carry it into effect. The landlord ought to bear the tithes, but then the landlord ought to have the same powers for collecting the tithes that he had for collecting his rent. By such a proceeding the question would be divested of all its anomalous and objectionable character, and do great good. It would certainly throw new responsibilities upon the landlord, but he, for one, would readily bear them. He highly approved of the proposition of a grant for the payment of the tithes due to the parochial clergy.

Mr. *O'Ferrall* said, that, if they wished to cause the laws to be respected and revered in Ireland, it was necessary that those who framed them in that House should adopt a different tone and temper from that which some Gentlemen had assumed in the course of the evening. He gave his most hearty concurrence to the proposition for the relief of the clergy. They were distressed by no fault of their own, and ought to be relieved. That was not the time to inquire into the conduct of the clergy, but to assist them. He wished to see the law respected, but he wished also to see the just claims of the people attended to. He and his hon. friends about him said thus—There is a gross abuse; endeavour to remedy that abuse; and, having done so, whatever measures are necessary for the support of the amended law we will cordially assist you in enforcing. The people of Ireland were tired of this contest, and would readily accept of any terms which were consistent with their honour. It was not, he conceived, just, that, at the very moment when the Government admitted that the law was bad and ought to be abolished—it was not, he repeated, just that it should, at the same time, demand those extraordinary powers for enforcing the law. He could assure the House, that the objection against the payment of tithes in Ireland was not so much to the manner in which they were levied, nor to their amount, as to their appropriation. He had never paid tithe, without feeling himself degraded—without considering it as a tribute paid by the conquered to the conquerors. If Louis 14th had invaded and conquered England, and had established Catholicism as the religion of the State, would the Protestant inhabitants of the country have paid tithes to the Catholic clergy, except on compulsion. It was of a similar compulsion towards the Catholics of Ireland that he complained. Let the English Members of that House suppose themselves placed in the same situation, and what one would stand up and say, that he would not resist to the utmost such an imposition? "Oh, but," it would be said, "the countries are united." To this he would reply, that the Union was carried by bloodshed and corruption, and against the earnest wishes of the whole of the Irish nation. The Union was adopted to perpetuate the galling yoke the country complained of, and which they resisted in resisting tithes. He, therefore, should strenuously oppose the Resolutions which went to give compulsory power to the Government. He did not deny the superior power of England. Ireland might be desolated and colonized, but still the old spirit would prove unconquerable, and spread, in spite of cruelty, suffering, and confiscation. He complained of the hasty manner in which this subject had been brought forward. The whole subject ought to have been considered by the Committee, before the House was called on to express an opinion. No proceeding ought to have been founded upon a partial Report. He, therefore, regretted the course which had been taken by the Government, but the first Resolution had his cordial support.

Sir *Rich. Musgrave* said, the only way to ensure the peace and tranquillity of Ireland—the only way to sustain the Protestant Church in that country—was immediately to adopt some efficient measure for the relief, not only of the clergy, but of the people. It was said, that the dignity of the law was to be maintained—that the dignity of the Government was to be maintained—but how was that to be done? He supposed by force. That, however, had been tried, and the Government had been baffled. Troops had already been resorted too in this contest. They had been called upon to perform a most harassing duty—a duty which they disliked, and their efforts were unsuccessful. Let not the House deceive themselves. The people of Ireland would not be intimidated. Some Gentlemen might suppose that the Irish were ignorant, but those Gentlemen were in error. His countrymen might be poor and suffering, but they were not ignorant—they were shrewd and ingenious, and often discussed political questions which bore on the interests of Ireland. Their misfortune was, not that they were ignorant, but that they had individuals amongst them, high in office, who were ignorant of the situation of the country. It was proposed to make an advance of money to the Protestant clergy, which money was afterwards to be repaid by a levy on the country. Now, he was perfectly certain that the people never would be satisfied unless they saw a more equal appropriation of the Church property. In meeting this question, the House laboured under many difficulties, in consequence of its having been prematurely brought forward before all the evidence was gone through. It was a question between the great body of the people of Ireland, on the one hand, and the Protestant clergy on the other; and, before all the evidence had been heard, Ministers had decided to reward the clergymen, and to punish the people. They had been told that a conspiracy or combination existed in Ireland against the payment of tithes, but they had not been told of the cases of individual oppression that led to it. No account had been given of a case in which it was shown that a poor man had to carry potatoes four miles on his back to meet the tithe-proctor. No statement had been made with respect to a widow, from whom tithes were exacted, although, on account of her poverty, and in consequence of her affording support to an insane female, she had been for thirty years exempted from the payment of rent; neither was any notice taken of the fact that the horse of the parish priest of Graigue was sold for tithes alleged to be due to the Protestant clergyman. Acts such as these had given rise to the combination, as it was called, which prevailed, more or less, in every part of Ireland. To put down that combination strong powers were demanded. Now, Mr. Hamilton was the only person examined who called for martial law. He asked for martial law against his Roman Catholic parishioners, from whom, principally, he received between 1,700*l.* and 2,000*l.* a year. One of the Magistrates who had been examined expressed a very different opinion. He declared that, to coerce the people, it would require, not merely a large, but an enormous army, and that even then the project would probably fail. He, therefore, should oppose those compulsory measures which it was now proposed to direct against a people burning with the recollection of ancient wrongs, and exasperated by the pressure of recent injuries. If he wished more powerfully to portray the distressed state of Ireland, he need only point to the outcasts from that country who were seeking for employment in England. But he hoped the time was not far distant, when the Irish peasant would find a resting place in his own country; he hoped the day would soon arrive when the landlord, the clergyman, and the tithe-proctor, would cease to persecute him, and when unjust laws would no longer oppress and grind him.

Mr. *Dominick Browne* thought that, before many years elapsed, some adjustment must be made with respect to the Church property in Ireland, by which it would be appropriated to the support of the three prominent sects in that country, instead of being wholly bestowed on one that comprised not more than one-third of the population. To a reformed House of Commons, Ireland must appeal for her rights, and a reformed House of Commons would, he was satisfied, grant her those rights. He did not blame Ministers for the measure which they had brought forward, but he was quite ready to have gone much further. He admitted, however, that this was not the proper time to enter fully into the subject. He even regretted that any measure upon the subject of the tithe system of Ireland had been brought forward at the present moment; because he felt that, until the all-engrossing and all-important question of Reform was disposed of, it would be vain to expect that any other subject could be properly discussed. Ministers, however, could not avoid it. It had been pressed on his right hon. friend by the general opposition to tithes which prevailed in Ireland, and by the consequent destitution of the Protestant clergy. He agreed with Ministers that it was expedient and necessary to afford relief to that clergy; he also agreed with them, that it was necessary to abolish the existing mode of collecting tithes; but to the resolution by which it was proposed to commute the tithes by a tax upon land he never could consent. If possible, he would have the whole of the Church property of Ireland placed in one consolidated fund, out of which should be paid not only the Protestant clergy, but the Roman Catholic and Presbyterian ministers also.

Mr. *Jones* should not have risen on the present occasion, but for a mistake into which the hon. Baronet (Sir Richard Musgrave) had fallen. The hon. Baronet had asserted, that the Protestant clergy had even gone so far as to call upon the Catholic priesthood to pay tithes, and in proof of that statement he had adduced a particular instance. In that instance the hon. Baronet was mistaken. The fact was this:—the Roman Catholic priest in the parish alluded to, after the Commutation Act had passed, took forty acres of land. When he agreed to take it the landlord introduced a clause into the lease by which he exempted himself, and bound the priest to the payment of the tithe. The priest took the land upon those conditions, but subsequently tendered the amount of the tithe as so much rent. This was rejected by the landlord, and a horse belonging to the priest was seized for tithe. The case was afterwards carried into a Court of law, but did not come to trial; it was referred to the decision of Dr. Doyle, who eventually determined the question in favour of the landlord and against the priest.

Sir *Richard Musgrave*, in explanation, said, that he had only stated, that the priest's horse was sold for tithe, and that fact was fully borne out by the evidence.

Mr. *Crampton* said, that the hon. member for Kildare (Mr. O'Ferrell) had set himself up as the advocate of the people of Ireland, but the hon. Member, from his tone and manner, could be considered in no other character than as the advocate of the agitators and the disturbers of the peace of that country, who were banded in illegal associations and were endeavouring to set themselves above the law. The hon. Member argued for the entire and unqualified abolition of the tithes, but yet he had agreed to the appointment of a Committee for the purpose of inquiring into the subject, with the view of protecting the Church. The proceedings proposed were said to be premature. He held a very different opinion. If the subject was not at once taken up, ruin and general destruction must occur. In seven counties there were illegal combinations against tithes, and in many places against rent also, and all other property. [*No, no.*] An hon. Gentleman said No. But to prove he was correct, he would beg leave to refer to documents: the first which he should notice was, a letter from a Lieutenant of Police, dated the 24th of January, 1832, which was to be found in page 225 of the Appendix to the Report, and contained these words:—

> "I was on duty yesterday morning before day-light; and, on my return to quarters, about twelve o'clock mid-day, I heard horns blowing in all directions, and saw the peasants pouring out of the villages and down the mountains in vast numbers, carrying flags, and accompanied by fifes, and firing shots in the most open and undisguised manner; in fact, the roads were actually covered with them to a great extent. They went in this manner to all the respectable landlords here, threatening and demanding that the rent should be lowered to the scale that they pointed out; and they actually forced, through terror, the gentlemen to sign a written document, binding themselves to the measure required of them, vowing vengeance if they refused to do as they desired! In the evening

they assembled here in thousands, with different banners, and entered into resolutions to "pay neither rent, tithe, nor taxes, until O'Connell got new laws for them."

Again, in the same page, he found an extract from a notice, which was, perhaps, worthy of attention—

> "Vast numbers of people, to the extent of 6,000 or 7,000, marched to the house of a Mr. Michael Dogherty, who is agent for different small estates around him, and also tithe agent for some clergymen in the neighbourhood, and, by threats, compelled him to refund what he had collected. The man was so terrified, that he would not swear examinations against any of the party."

He contended, therefore, that the Government were compelled to take up the subject, or to abandon the execution of the laws altogether. If hon. Members thought the rents in no danger, let them peruse the notice signed "Lady Clare," now in circulation throughout Queen's County. It was in these words:—

> "John Harrison—I am sorry to find your tenantry are paying a very high rent; now I hereby give you notice, that, unless you make your tenants an abatement of 5*s*. an acre, you will put me under the disagreeable necessity of visiting you personally, and terminating, not your lease, but your existence. I give you ten days to consider whether you will do this; if not, prepare your coffin. "A friend to you"
> Lady Clare."

The present combinations, however, did not extend over more than a part of one province, but if the Government took no steps to put down illegal combination, they would increase, and the other three provinces would follow the example of the fourth. If it was found, that, by having recourse to such means, the lawful payments to which persons were liable, could be evaded; if the law did not put down the combinations, the combinations would put down the law. There was no alternative. But it was said, that no proceeding ought to have been proposed until the final Report of the Committee was before the House. Had such a course been taken, Ireland would have been abandoned to confusion and anarchy. He not only thought the plan proposed necessary, but he seriously believed that it would check combination, and restore peace to the country. The clergy could not resist the combination, but the case would be very different with the Government. Much had been said on the subject of coercion, but really there was none in the proposed measure. The task of collecting the tithes was transferred from the clergy to the Attorney General. No new pains or penalties were imposed, but great relief would be afforded even to the tithe defaulter. This was not a measure of coercion, but lenity. The moment the fiat of the Legislature was pronounced, combination against tithe in Ireland would be broken. The arm of the law would suppress the combination. It was a measure practicable, because it was not coercive, and would, therefore, be effective. A case had been made out for relieving the clergy, but the Government of the country must be reimbursed. The people of England and Ireland who had not opposed tithe, were not to pay for those who had combined to plunder the Church. Another consideration was, whether the tithe system, which had worked badly hitherto, could not be changed or made subject to a commutation which might operate to the advantage of the public and the clergy? Some objection had been made to the use of the King's name in the intended process; but it was well known that the name of the King was often a mere fiction in some cases, such as extents in aid issuing from the Exchequer; the people knew that the Crown had but little or no interest in the suit. The measure was one of favour and lenity, and could not fail in accomplishing the object all must wish to see carried into effect.

Mr. *Sheil* said, that he did not think that the language used by the right hon. Secretary for Ireland, towards the conclusion of his speech, had been, to say the least of it, the most judicious that could have been employed. It appeared to him that the right hon. Gentleman should not have dwelt with such emphasis on the putting down of disturbances; while admitting, as he did, the existence of grievances which caused those disturbances, he made little or no allusion to their removal. On the contrary, it would have been wiser, it would have been more statesman-like on the part of the right hon. Gentleman, speaking as the organ of his Majesty's Government on this important subject, to have said, "We will try what justice will do; we will try what a removal of acknowledged and crying grievances will effect, and if we find that success shall not crown our efforts, then we will change our course." The right hon. Gentleman had acquitted the Protestant clergy of all blame arising out of those proceedings. Now, he (Mr. Sheil) did not stand forth as their accuser, but he could not avoid observing, that the language of panegyric had, in this instance, gone somewhat beyond the bounds of truth and justice. He was ready to acknowledge, that in their ranks were to be found men of the highest character, and of the most unblemished conduct; but he begged to observe, that they must go to the evidence which had been given before the Committee, in order to get rid of the cloud of incense which had been wafted towards these reverend gentlemen by the right hon. Secretary for Ireland, and that they must recur to the plain matter-of-fact statements contained in that evidence as the only sure and proper medium for ascertaining the truth. Could any man, acquainted with the condition and circumstances of Ireland, doubt that, in many places, and on many occasions, the Protestant clergy had allowed themselves to do and say much, which it would have been infinitely better never to have ventured on? For the purpose of establishing this position, he must refer to the evidence of Sir John Harvey, relative to the seizure of the horse of the Catholic priest of the parish of Graigue, county Kilkenny, the rev. Mr. Doyle, by the Protestant rector, the rev. Mr. M'Donnell—that gentleman went so far as to declare, that, when the Bishop of Ossory was applied to on the subject, he condemned the conduct of the parson in that affair, and there could be little doubt that that outrage had been the origin of the bursting forth of the torrent that had subsequently swept the country. He must ask, whether proof was not afforded, in this instance, that there were Protestant clergymen whose conduct was deserving of blame, and whether it was not made out, that offence had been offered to the feelings of the people—such offence as had given origin to the great public evil that it was now sought to remedy. It had been also proved by the witnesses examined before the Committee that the payment of tithe was demanded in English currency instead of Irish currency; and he begged to ask whether such a demand as that, on the part of the Protestant clergyman, was a just or a right one? Though, however, he was of opinion that much of what occurred was to be attributed to the conduct of the Protestant clergy, he was as ready as any hon. Member in that House to give them relief, and he thought that it was enough to know that many of them had suffered severely in the moral hurricane which had taken place, in order to justify a measure to succour their distress. He did not think that the Resolution with regard to the change which was to be made with respect to the property of the Church, at all pledged the House not to appropriate that property as it might deem fit hereafter, and he hailed the substitution in the Resolution of other words for the words "revenues of the Church," which were to be found in the Report, as a proof that the question as to the appropriation of that property was left perfectly open to the future consideration and determination of the House. It was his settled conviction that nothing short of a distinct and immediate appropriation of a large portion of that property to other purposes would answer the need and relieve the deep distress under which Ireland at present laboured. The Government, no doubt, might find the case one very difficult to deal with, and it might deem it convenient to wear a mask in order to conceal its intentions; but to him it appeared that such dissimulation, in a matter of such pressing urgency and momentous importance, involved within it a great and grievous mistake. The Government might find it convenient to wear a mask; but there must be a new appropriation of Church property; to that they must eventually come. This question had been proposed to be referred to a Reformed Parliament, but there would never be any Reform unless what had been some time talked of was executed. The present Government might rest assured that they would never carry an efficient Reform, unless they set out with reforming the other branch of the Legislature. The Bill would never come back to the House unmutilated without fifty new Coronets on its head. They might rely upon this, that the present measure would do nothing more than excite the scorn and the anger of the people of Ireland. And he called upon the House, in the name of God, to endeavour to conciliate them instead of using means which would exasperate their already strongly-excited passions. It was impolitic to make the Crown the collector of tithes, if for no other reason, for this, at all events, that it would transfer to the Crown the odium which the tithe-system had brought upon the Church. But what were those arrears, for the recovery of which the Crown was to become a suitor in every civil Court in Ireland? Tithes upon potatoes—a tax which was exacted only in the south of Ireland. The north was free from the oppressive exaction; but yet one-third of all the arrears now due were tithes of potatoes. He made that assertion on the authority of the rev. Mr. Langrishe, in the examination of that gentleman before the Committee. Why, then, should the Lord Lieutenant become the collector of tithes in the south of Ireland, which the clergy in the north of Ireland had never claimed. He implored the House not to legislate hastily upon so vital a question—to wait until the final Report of the Committee should be brought up. Justice consisted of two parts—the redress of grievances, and the punishment of offences. The House was about to reverse this order, and to punish first. He would conclude by asking, could any Gentleman, who had the welfare of Ireland at heart, stand up in that House and say, that he could approve of any Bill that should be founded on those Resolutions.

Sir *Robert Peel:* Sir, I am desirous, before this discussion terminates, of explaining the course which it is my intention to adopt with respect to the Resolutions which have been moved by the right hon. Gentleman; and although it is the usual practice for persons addressing this House to magnify the importance of the subject on which they are about to speak, yet I think I can truly state, without any rhetorical exaggeration, that, in the course of a parliamentary experience of twenty years, I never recollect a discussion, the issue of which was of more importance to the foundations of Government, and to the security of the institutions of this country, than must be the issue of the discussion before the House. I consider, Sir, that although there are five Resolutions moved by the right hon. Gentleman, yet two of them are of so much more importance than the rest, that to these two, I shall exclusively direct my attention. The two Resolutions to which I allude are these: the first pledges the House to enable the executive Government of Ireland, having advanced certain sums for the relief of the suffering clergy, to recover the amount of these sums from those by whom they are justly re-payable; and the other pledges the House to take into consideration an extensive change in the mode of providing for the maintenance of the ministers of the Established Church, which change will involve the commutation of tithe, either for an equivalent in land, or for a rent-charge upon land. I shall invert, in the consideration which I shall give to these two propositions, the order in which I have stated them, and consider the latter in the first instance. I own, that, abstractedly, and on general principles, I object to pledge the House prospectively to the adoption of any particular course, at a future period. I have uniformly objected to this course. I can scarcely recall to my recollection a single instance in which I have been a party to a pledge that the House would, on some future occasion, adopt a certain measure. A vague engagement that the House will, on some future occasion, do that which is best for the country, is unnecessary, because the presumption should be, that at all times Parliament will be ready to act as may be most conducive to the interests of the public. I object to such a course, because I think it is an improper mode of relieving ourselves from present difficulties to enter into engagements, when we are not prepared with measures of practical detail, without the accompaniment of which, those engagements cannot be redeemed. The whole history of Parliament has a tendency to discourage the hasty adoption of pledges of this nature. With respect to this very question of tithes, there is a proceeding somewhat analogous to the present, which may be quoted as an example of the danger—the extreme inconvenience, at least—of entering into pledges. There was a time when a pledge was given by the House of Commons in favour of commutation of tithes; but to this day that pledge remains unredeemed, and the subject of that pledge continues now in the same state in which it was at the time the pledge was made. At the period of the Commonwealth, on the 9th of April, 1652, the House of Commons came to a Resolution of this nature—

> "That it be referred to the Committee appointed to receive proposals for the better propagation of the Gospel, to take into speedy consideration how a convenient and competent maintenance for a godly and able ministry may be settled in lieu of tithes, and present their opinion thereon to the House."

Whether any proposals were ultimately made for better providing for the ministry of the Gospel, or whether the Committee reported their opinion thereon to the House, I know not: but, at any rate, no commutation of tithe took place, nor was any alteration made of the system that had theretofore existed. The account given by the historian of the circumstances preceding and subsequent to the appointment of this Committee, is both interesting and instructive. He says, that—

> "The payment of tithes was a source of continual grievance to the country people, and was the subject of repeated petitions to Parliament, and Parliament was forced often to promise redress; and so, for a pretence of ease and quiet, they referred the question to a Committee, to consider how a convenient and competent maintenance for a godly and able ministry might be made in lieu of tithes. But (says the historian) the lay impropriators in the House would never consent to extinguish their own interests, and, therefore, the whole plan was abandoned."

Now, I beg the attention of the House to the course which even that Parliament took in the year 1652. Although they entered into an unwise engagement to abolish tithe by commutation, yet they did not think it just, when they entered into that engagement, to encourage the refusal of the payment of tithe in the interim that might elapse between the appointment of the Committee and the final adjustment of the question by Parliament; for even that Parliament which had abolished monarchy—that Parliament which had abolished the House of Lords—that Parliament which was adverse to the established religion of the country—had still this sense of justice to resolve on the very occasion when the question of another maintenance for the clergy was under discussion—"That tithes shall be paid as formerly, until such maintenance be settled." Upon the question being put, a Resolution to that effect was moved as an Amendment, and a division took place, when it was carried in the affirmative by a majority of twenty-seven votes against seventeen. That very Parliament, I say, which had entered into an unwise pledge of abolishing tithes, by the very same vote came to a Resolution that the existing law should, in the mean time, be maintained, and the tithes be paid. Why then, Sir, I say, if we imitate the example of that Parliament with respect to the destruction of tithes, let us, at least, also follow it in the second precedent which it has set us, and, by a simultaneous engagement, pledge ourselves to maintain the law and vindicate the authority of Parliament. I stated before, Sir, that my general course has been to object to Resolutions involving such pledges as the Resolution I am now considering involves. But such is my sense of the difficulties of this question—difficulties for which some immediate practical solution must be found, that I am content to make an exception with respect to this case, if I must pay that price, in order that I may have an assurance from the King's Government that the law shall be vindicated. I do not think I should be acting with due regard to the interests of the Protestant Church, if I did not, on this occasion, make that exception. I am, therefore, ready to agree to a Resolution which pledges me to the consideration of some plan, for the maintenance of the ministers of the Established Church in Ireland, as a substitute and just equivalent for the provision by means of tithe. To the wording of that Resolution I do certainly object; not because I entertain any material difference of opinion, as to the main object of that Resolution, from the right hon. Gentleman who moved it, but because I fear the danger of misconstruction in Ireland. I think, Sir, it is most unwise, in that Resolution, to use the words "extinction of tithes." I am aware that, in almost every Inclosure Act in this country, those words are used; but they are not used until the land for which the tithe so to be extinguished is commuted, is actually provided and allotted to the owner of the tithe. But here we use the words before the equivalent is provided, nay, before any plan for its provision is matured, or even proposed, for consideration. Therefore it is, that I fear we are exciting false hopes. The words "extinction of tithes" will, I am afraid, be construed by the peasantry of Ireland, to mean, that tithes are extinguished, and, therefore, are no longer payable. Now, as I think two years must elapse before any plan which Government may determine upon can be carried into effect, I fear that such an erroneous impression prevailing in Ireland, in the meantime will lead to the spreading of the combination against tithes, and tend to defeat the object which his Majesty's Government has in view. I give my consent, Sir, to the last of these Resolutions, upon the distinct understanding that it is meant to provide for the Church of Ireland a just and fair equivalent. The hon. and learned Gentleman who spoke last, says he attaches great importance to the omission of the words "the revenues of the Church will be effectually secured," which words, he observes, though omitted here, are contained in the Report of the Committee. Now, I think, and I shall continue so to think until I am contradicted, that the right hon. Gentleman who prepared the Report of which these words stand a part, clearly meant it to be understood that, in commuting tithe for land, the appropriation is to be to the Church in Ireland, and that he means, as the Report expresses it, effectually to secure the revenues of the Church. I do not intend to exclude (for I think an inquiry may be necessary)—I do not intend to exclude a fair and just consideration of the present state of the Church in Ireland; but this is what I mean—I give my support to that Resolution, upon the clear understanding that those revenues which are to be provided for by the Church, in lieu of the tithe at present payable to that Church, are to be appropriated strictly to ecclesiastical purposes. These were the grounds upon which I consented to the Report—these are the grounds upon which I consent to the Resolution; admitting, at the same time, that there are other matters connected with the Church (the question of Church-rates is one) which ought to be placed on a different footing from the present; of all such matters I wish to see the final adjustment, and thus to prevent, if it be possible, the seeds of future agitation from being left to germinate among an easily-excited people. One of my main reasons for resolving to adopt this course is, the support which his Majesty's Government will derive from it in carrying into effect that other Resolution, in my opinion of equal importance to the one to which I have been alluding; I mean the Resolution which enables the Government to recover from those who are justly and legally liable to the payment of them, the arrears of tithes, so as to reimburse the sum which the Government may advance out of the public funds to the suffering clergy of Ireland. But, Sir, before I approach the important question that is involved in that Resolution, the hon. Gentleman, the member for Kildare, must allow me to refer to one part of his speech, which it was with great pain I heard him deliver—a speech which, in manner and matter, completely observed the precept given by an hon. Gentleman, who said, that, in discussing the question of tithes, it was desirable it should be done *suaviter in modo, et fortiter in re*—a speech which more literally corresponded with that precept I never heard than the speech of the hon. member for Kildare. The argument which he advanced, if well founded, must almost preclude the necessity of any further discussion of this subject, because that argument tends to show that it is utterly impossible to hope for the future repose of Ireland, adopt what principle we may for the commutation of tithes. The hon. Gentleman said—and it was with extreme pain that I heard the observation—that he objected altogether to the payment of tithes in principle, and that he considered the payment as a degradation and as a badge of conquest and of servitude. I regard this, Sir, as proceeding from a Roman Catholic, to be a most extraordinary objection. I did hope that the removal of all civil distinctions, and the footing of perfect equality upon which that Gentleman and all his fellow Catholics of Ireland had been placed, had merged in oblivion those irritating topics which arose from ancient conflicts and ancient triumphs. Alas, Sir, how dangerous is the doctrine which this argument involves! how fatal to the security of all other property in the State! Does the hon. Gentleman recollect by what title three-fourths of the property in Ireland are held? If a prescription of 300 years can plead nothing in favour of the present settlement of the property of the Church, how unlikely is it that a prescription of 150 years can plead in favour of the settlement of lay property! Does the hon. Gentleman know how much of Ireland has been subject to confiscation and forfeiture, on account of those very conflicts to which he has referred, and against the recurrence of which we had fondly hoped, and had a right to believe, a barrier had been raised for all future time by the act of emancipation? But now the hon. Gentleman—notwithstanding that the settlement of the estates of the Church is coeval, not with the Rebellion of 1641, not with the Revolution of 1688, but with the Reformation—comes forth and declares, that he considers it as a badge of servitude to recognize that property, and that no Roman Catholic can avoid considering it in that degrading light. He reserves this doctrine until after the period when the Roman Catholic disabilities have been removed. A different doctrine was advanced before that period, when, in 1825, a Committee was appointed, for the purpose of considering the state of Ireland, the evidence given on that occasion had a material influence on the public mind, and tended greatly to reconcile it to the emancipation of the Catholics. Throughout the whole of the evidence given before that Committee, by some of the highest authorities in the Catholic Church, is there, I ask, a single expression from which it could be inferred that the disabilities of the Catholics being removed, the payment of tithes would be considered by them as a degradation and badge of servitude? Many of them objected to tithes, on the same ground on which a Protestant might object to them; but not a man said, "After you have removed our civil disabilities, you must remove the burthen and degradation which we endure in the payment of tithe to the clergy of a Protestant establishment." This, I conceive, Sir, to be a most important part of the question now under discussion; and, therefore, for the purpose of proving that I am right, and with a view to show that, at that period, no Roman Catholic thought that the payment of tithe involved any degradation of the Roman Catholic, I shall adduce evidence which the honourable Gentleman himself must admit to be of the most unexceptionable and conclusive character. I will not take the evidence of the Roman Catholic layman; I go to the fountain head upon this point. I take the evidence of those men who, from their religious stations, and from their opportunities of intercourse with their flocks, must have had the best means of speaking decidedly upon this matter. The question is not—and do not let any man attempt to divert us from the real question now at issue between the hon. Gentleman and myself—the question is not, whether tithe be an unsuitable and unwise provision for the clergy; but the question is, whether, at that time, the Roman Catholics thought that the payment of tithe was a badge of servitude and degradation, and whether it is now just to argue that the act of emancipation will be incomplete if it be not followed by the total extinction of tithe? I will first take the evidence of the most reverend Dr. Kelly, who, I believe, was the titular Archbishop of Tuam. This evidence will bear equally upon the other points involved in the present discussion. He said that, in the year 1820, there were very serious disturbances in Mayo and Galway. He is asked, "Were the complaints made against the pressure of tithe rather than against the pressure of any other change?" His answer is—"No; they complain equally of high rents, Grand Jury cesses, and Church-rates." The next question is—"The efforts of these Ribbonmen were not directed specially against tithes?" His answer is—"Not by any means—they were directed more against landlords." The next witness whose evidence I shall refer to is Dr. Murray, who was titular Archbishop of Dublin. He says, "It is a general feeling, among Catholics as well as Protestants, that the establishment is unnecessarily rich; but I do not observe any feeling in Catholics, as Catholics, to exert themselves for its curtailment more than Protestants." Why, Sir, is that not an express declaration that the Catholics did not consider tithes in the light of a badge of servitude? But, to proceed:—Dr. Murray is asked, "Do you think the Catholic population would exert themselves more strongly to get rid of tithe than they would the burthen of any other tax?" The answer is, "I do not think they would." The other witness, from whose evidence I shall quote, is no other than Dr. Doyle. I have reserved for the last, the evidence of this reverend prelate. He is referred, in the course of his examination, to certain letters, published under the title of "I. K. L.," and is asked if he concurred in the opinion given in those letters of the Established Church of Ireland? His answer is, "The Established Church of Ireland I look at in two lights—as a Christian community, and as a corporation enjoying vast temporal possessions. As a Christian Church consisting of a hierarchy, and professing the doctrine of the Gospel, I respect it, and esteem it more than any other church in the universe, separated from the See of Rome." He is then asked this question: "Do you entertain any objection to the establishment of the Church of England in Ireland, in the respect now adverted to, which a Protestant might not equally feel?" His answer is, "I do not suppose that I do." He is then asked, "Would the objections to tithes, as they now stand, be removed, in any degree, by giving admissibility to political power to the Roman Catholic laity?" His answer is, "Yes, I do conceive that they would be greatly removed." He is asked, "How would tithes become less objectionable, considering they are to be paid by a people chiefly engaged in the tillage of land?" His answer is, "I think, if the present Tithe Composition Bill were universally adopted, or a compulsory clause inserted in it, and the tithe levied by an acreable tax, that it would excite infinitely less discontent than exists at present." Now, Sir, have I not adduced evidence which proves that, even before the Catholic disabilities were removed, tithes, although considered as a burthen, were not so considered in any other light than that in which every species of tax is so regarded? And if these were the feelings of Catholics even before their disabilities were removed, may we not justly claim from them, now that every vestige of civil distinction between Catholic and Protestant is done away, that recognition of the right to tithe which even before was not withheld; more especially when it is recollected that the admissions made by them on this very point materially influenced the minds of the people of England to consent to the removal of their disabilities? I will now address myself to the speech of the learned Gentleman, (Mr. Sheil), who spoke with great ability, but whose speech was more remakable for its choice of language, than for the weight of its arguments. I must say, Sir, that those arguments looked at through the fog and mist of metaphor and oratorical figures, are apt to loom rather larger than they ought to do, and to attract more attention than their natural proportions entitle them to receive. The hon. and learned Gentleman says, "For God's sake, conciliate the people of Ireland;" and his mode of conciliating them is to relieve them from the payment of their arrears of tithe. "I admit," says the hon. and learned Gentleman, "that the clergy ought to be paid, and that the landlords ought not to benefit by the remission of the tithes." Now, Sir, I mean to avail myself of these admissions, and to contend that such admissions being made, first, that those having vested interests should be provided for; and, secondly, that it is not conformable with justice that the landlord should benefit by the extinction of tithes; *cadit quæstio*, and the learned Gentleman is bound to support these resolutions. The first admission is, that the clergy ought not to lose their property; you admit they have done no wrong, and must not be the sufferers. Well, then, who is to pay them? It is very easy to say, "let them be paid out of the Consolidated Fund;" but such a proposal is neither more nor less than this, that those persons who pay taxes are to pay these tithes also. The hon. and learned Gentleman advises conciliation in the arrangement of this question, but I ask which party will he conciliate—those who have paid all the demands that are due from them, or those who have refused to pay? Why are the people of England, and that part of the people of Ireland who have paid their tithes, to be called upon to pay the arrears of tithe due by the defaulters. What justice, what conciliation is there in saying to these persons, "Here are parties who have not paid their tithes, and, therefore, although you have paid yours, still you must contribute to make up these arrears?" Why, here is a double act of injustice;—first, the learned Gentleman gives impunity to the defaulter by sheltering him from the process of the law, and then he proposes to mulct all those who have already paid their tithes, in an additional sum, because others have refused to pay theirs. It is very well, Sir, to talk of conciliation and justice, but what sort of conciliation and justice is this? The hon. and learned Gentleman then says, "Why should the Irish Government become the tithe-proctor-general for the clergy?" And, for the purpose of making an impression, he describes my Lord Anglesey going forth to dig potatoes with his own hands, in order to raise the sum requisite to reimburse the Government. Who can be deceived for a moment by such exaggerated pictures? The question is this; the learned Gentleman having admitted that some one ought to pay the arrears, in what mode shall those arrears be recovered? The law at present is set at defiance. The Protestant clergyman is defrauded of his due. Is there any injustice in employing the authority of Government for the purpose of enforcing an undoubted equitable, and legal right? Is it not better, after what has taken place, that that right should be enforced by the Government, rather than by the party himself—that party an interested one—obnoxious from his spiritual character, irritated, possibly, by the sense of the grievous wrong he has already sustained.

But, says the learned Gentleman, where is the great public evil if the clergyman does not receive his tithe. Why, Sir, there is great public evil in any man sustaining a wrong and being denied a remedy? What is society instituted for? What is the end of all government? Why do we pay taxes, and submit to a thousand restraints, but to protect individuals from wrong? If any individual can be deprived of his just rights with impunity, it has a tendency to shake the foundations of every other right. Depend upon it, that if legal rights of one description can be defeated or evaded, the interval is short between such defeat and the invasion and destruction of other property. To show this, I call the hon. and learned Gentleman as my witness—for what has he informed us? Why, that such is the impatience of legal restraint in Ireland, that the common practice is to make the process-server swallow the process; nay, not only to swallow, but to digest it. Is there no danger that a people with such dispositions and such habits, will soon learn to defeat the claims of the landlord by the same artifices and the same combinations which have been successful in defrauding the clergyman? The learned Gentleman may depend upon it, that those physical laws of nature which regulate the motion of material bodies, are not more certain in their operation than the moral laws which teach us, that successful injustice in one case, will propagate injustice in others. No, Sir, you can no more gather grapes from thorns, or figs from thistles, than you can sow the seeds of injustice, and hope to reap the fruits of obedience. The whole course of Irish history—the sad succession of those troubles which have defaced the fair fame of Ireland for the last ninety years, tends to show, that however the disposition to disturbance may have originated, it was not confined to the primary cause, but rapidly extended to every other object of real or imaginary grievance. No doubt the demand of tithe has been among the most obnoxious. To no other demand was resistance more easy. The grievance was not the heaviest—there were other and far weightier imposts on the peasantry—but the clergyman was the most defenceless of those who had claims upon them. The waters of bitterness were ready to overflow, and they burst the containing mounds in the weakest place. The learned Gentleman has alluded to cases of individual oppression by the clergy; but does that learned Gentleman think that these individual cases of extortion and oppression, even when proved, can justify the evasion of the law? The learned Gentleman said, that the law which is unjust ought not to be enforced. But who, Sir, is to be the judge? Does he mean to argue that the poor peasant, or the wealthy farmer of a thousand acres, are at liberty to decide for themselves whether laws shall be obeyed? The injustice of the law, the inexpediency of the law, the popular dislike of the law, may all be fitting elements of consideration with the Legislature; but if any individual is to be at liberty to declare, whenever he has a burthen to discharge, that the law is unjust and he will, therefore, resist it, then, I say, the functions of Government have already ceased, the State is dissolved, and all the obligations of society must shortly be at an end. There are instances of exaction among the clergy—granted—are there none among the landlords? Did the learned Gentleman ever hear of Conacre in Ireland? Did he ever hear of the land out of lease subdivided and let to the highest bidder, without regard to the claims of the ancient tenantry? Does he know the ordinary amount of rent in many parts of Ireland—its proportion to the whole produce of the holding? If you condemn the whole body of the clergy on account of the exaction of a very few—if you justify general resistance to a legal demand on account of such rare instances of exaction—I ask again, what will become of the character and of the rents of Irish landlords? I trust, Sir, that I may say with truth, that I have ever felt a deep interest in the prosperity of that country with which I was for some years officially connected; and I have ever taken a melancholy interest in tracing the history of those periodical disturbances with which Ireland has been afflicted for the last ninety years. The impression on the minds of English Gentlemen is, that those disturbances have arisen almost exclusively from the disputes concerning tithes. Nothing, Sir, is more fallacious; that is not the fact; but fact or not, this I will prove, that there never was an insurrection, or a spirit of resistance evinced on account of tithes in that country without its extending rapidly to, and being directed against, every other burthen which the tenant had to sustain. This is one of the main grounds on which I now support these Resolutions; for, if Government were disposed to connive at the present invasion of the law, the day of resistance and of open violence would be but postponed for a short period, an intense feeling on the part of the peasantry would soon be excited against rent and the landlord, against the Grand Jury cess, and every other species of charge upon land; and there would either be universal anarchy, or a desperate and bloody effort to re-establish the supremacy of the law and the rights of property. I ask you to profit now by the experience of former periods of Irish history. I am aware, Sir, that, with respect to Irish history, the credit due to any statements depends materially upon the quarter from which they come. Unhappily, the spirit of party has infected the historians of that country so much, that, as their minds are swayed, so are their facts coloured, exaggerated, and distorted. But, Sir, I will take my facts from an historian of Ireland, to whom there can be no exception as a witness for my purpose. He shall be a Roman Catholic —a gentleman taking an active part in the affairs of his country—I mean Mr. Plowden, who has collected a vast number of important documents bearing upon the recent domestic history of Ireland. Mr. Plowden quotes a remark which was made by Mr. Arthur Young, that, before the year 1760, in Ireland local disturbances were but little known. Mr. Young's expression is, that "there was no Leveller, no Whiteboy, known before the accession of George 3rd." In the list of those strange designations given to parties in Ireland, the Whiteboys, I believe, claim precedence in point of date. This is the account given by the historian of the more immediate rise of that party :—

"Various causes produced the most abject wretchedness among the forlorn peasantry. An epidemic disorder among the horned cattle had spread from Holstein, through Holland into England; the prices of beef, cheese, and butter were raised to exorbitancy. Pasturage became more profitable than tillage; numerous families were turned adrift, without the means of subsistence. The cotters, being tenants-at-will, were everywhere dispossessed of their scanty holdings, and large tracts of grazing lands were set to wealthy monopolizers, who, by feeding cattle, required few hands, and paid higher rents. The landlords demanded extravagant rents from their cotters, and, to reconcile them to their settings, they allowed them generally a right of common, of which they soon again deprived them by enclosures."

He then says,—

"The absolute inability of these oppressed tenants to pay their tithes, besides their landlord's rent, made them feel the exaction and levying of them by the proctors as a grievance insupportable."

Why, Sir, that was natural enough. The clergyman was the man who was the most easily attacked. And by whom, according to Mr. Plowden, was the attack encouraged? He says :—

"The loudest and most lasting of the complaints were against the extortions of tithe-proctors. The landlords and graziers, in order to divert the irritation of their wretched and oppressed peasantry from themselves, did not scruple to cherish, or at least connive at, resistance to the ever unpopular demands of the clergy."

Well, Sir, in 1763 appeared the Oak boys, so called from the circumstance of their adorning themselves with the leaves of the oak tree.

"Their first object was the overseers of the roads—the second, the clergy, whom they resolved to curtail of their tithes—the third, the landlords, the price of whose lands, particularly the turf-bogs, they set about regulating."

Now here, Sir, I show that, even at that early period, although the tithes might be the original ground of complaint and resistance, yet the rent of the landlord soon became an equally obnoxious demand. The learned Gentleman will see, by the instance I have quoted, how rational is our apprehension that a successful invasion of tithe will lead speedily to the successful invasion of rent. The next in order of these lawless parties are the Steel-boys. The rising of these was not so general. The source of it, says Mr. Plowden, was this :—

"An absentee nobleman, possessed of one of the largest estates in the kingdom, instead of letting it for the highest rent, adopted a novel mode of taking large fines and small rents. The occupier was willing to give the highest rent, but could not pay the fine, and was dispossessed by the wealthy undertaker, who, not content with a moderate interest for his money, racked the rents to a pitch above the reach of the old tenant. Upon this the people rose against forestallers, destroyed their houses, and maimed their cattle, which now occupied their former farms. When thus driven to acts of desperation, they knew not how to confine themselves to their original object, but became, like the Oak-boys, general reformers."

The general Reformers of the present day do not I trust partake of the disposition of the Steel-boys of 1764. In 1786, Mr. Grattan made his memorable speech in the Irish House of Commons on the subject of Irish tithe, in allusion to a splendid passage of which speech the learned Gentleman had exclaimed, "For God's sake let us follow the example of Mr. Grattan." And what, Sir, did Mr. Grattan propose? Did he denounce tithe as a badge of servitude and degradation? No such thing. He considered it a strict legal right, in lieu of which a full equivalent should be granted to the Church, and that equivalent secured upon the land of Ireland. Surely, it will be more to the purpose, to act on the authority of Mr. Grattan in the practical part of his measure, than to repeat an oratorical passage of his speech, which, however splendid has no practical application whatever. But, Sir, to resume. In 1786, those persons who began their insurrection upon private property by an attack on the tithes, took upon themselves to regulate the payment of hearth-money, the rent of the land, and the dues to the Roman Catholic clergy. I now speak to Roman Catholics, and I dare say the name of O'Leary is familiar to them. In 1786, Mr. Grattan received a communication from that gentleman, which complained as loudly of the refusal of the peasantry to pay the dues to the Roman Catholic clergy, as it is now complained that the Catholics will not pay tithe to the Protestant clergy. I come to more recent instances of the character and tendency of these parties in Ireland In 1806, the friends of the noble Lord (the Chancellor of the Exchequer) were in power.; Mr. Plunkett was Attorney General. In that year a special commission was sent into the counties of Sligo, Mayo, Leitrim, Longford, and Cavan, in order to check the great excesses committed in those parts by the party called Threshers. In the course of that commission, a gentleman with whom I had the honour of being acquainted—Mr. Denis Brown—was examined as to the origin of those excesses. This is Mr. Brown's account:—

> "The first object of the association was the reduction of tithes and priests' dues. In different stages of its progress it professed different objects—all kinds of payments, whether of tithes, industry, labour, or farming. They delivered messages in the chapels threatening the priests that, if they did not lower their dues, avoid the payment of tithes, and alter the wages of labour, the Threshers would visit them, and that the priests might have their coffins prepared."

In 1811, Mr. Bushe, then Solicitor General, was sent upon a special commission to Tipperary, Waterford, and Kilkenny. This is the account which that eloquent man gave of the proceedings of the Caravats and the Shanavests. He asks, "What is the first avowed object of these associations?"

> "It is the regulation of landed property and its produce. It is the vain and idle attempt to fix a maximum for rent, and to prescribe the price of labour. Land, say they, shall never rise, and property shall never change its possessor. To the gentlemen of landed property they proclaim, that the land which his ancestor had demised thirty or sixty years before must not rise on the expiration of the lease, or must only rise according to their standard. I fear that some persons have folded their arms and looked on with patient apathy, while the plunder of the clergy, and the collection of tithes, were the only objects of insurrection. To others, the obstructions of public taxes might appear venial. When the people rose against the claims of the Roman Catholic priesthood, and affected to regulate their dues, many did not foresee that the habit of popular interference could not be confined to one object. Out of the apathy, indolence, or connivance of the gentry, has grown the dominion of the mob."

Sir, that sentence contains the history of all these evils. Every word is pregnant with instruction to us at the present moment. I think I have proved to you that, even if tithes were the original object of these insurrections, yet successful resistance to tithe extended rapidly, not only to the county cess, but to the landlords' rents, and even to the dues to the Roman Catholic priests. It must be so; and out of our apathy, our indolence, and our connivance, will grow the dominion of the mob. It is absolutely necessary that some precaution should be taken to prevent this increasing disposition to resist legal demands. The hon. and learned Gentleman says, wait and let us see whether resistance will be further offered; but, if it is true that resistance has been already offered to the extent alleged, and that success stimulates to fresh outrages, it is mercy to check the destructive disposition now. A combination exists in six counties, and is rapidly extending to others. Any additional success will give additional impetus to the work of insurrection. What, Sir, must be the effect of postponng any measure now, which ultimately it will be absolutely necessary to adopt? One consequence will be, to aggravate the evils; for every man will suppose that we are indifferent to these illegal proceedings; and, instead of having six counties to contend with, we shall have thirty-two. Instead of having tithe only to recover, we shall have rents and taxes also. I therefore say, Sir, that if interference is necessary—and I think it has been proved to be necessary—both in justice and mercy, it ought to be immediate. The hon. and learned Gentleman says, it will take 100,000*l.* to recover 30,000*l.* Be it so. Even in that case I shall not think the 100,000*l.* expended in vain. I will consent to the expenditure of a million rather than permit the systematic and universal violation of legal rights. The hon. and learned Gentleman says, that every mild course ought first to be tried, before severe coercive measures are resorted to. I should be the last man to counsel unnecessary severity; but this I do hope, that the measure will be effective. I would rather that nothing should be attempted than that Government should be involved in a contest when they had not obtained power sufficient to insure success. If it be just that these arrears should be recovered, neither open force nor technicalities of law should be permitted to obstruct the recovery. I am not speaking of arrears of rent, or of arrears occasioned by distress. Where, indeed, is the gentleman who has not arrears due upon his property; and where is the man who is mad enough to call for the summary interference of the Executive to recover such arrears? No, Sir; I am speaking at a time when the rents of the landlords of Ireland are all well paid. I am speaking of those who, being perfectly solvent, expressly say they will not pay tithe; who expressly say that the law is unjust, and, therefore, they will not pay obedience to it; and who confederate together for that especial and openly-avowed purpose. Speaking of these parties, I think it right that the Government shall be able to say to them:—" If you are solvent, you shall not rob the clergy, in order that you may be the better able to pay the landlord." The landlords themselves declare, that they are not desirous to rob the clergy, and they have too honourable feelings to seek their own advantage indirectly at the expense of the Established Church. But if this system is to proceed the landlords, however they may be opposed to it, cannot help profiting by its continuance. In the nature of things, how can this be avoided? If tithes be abolished by these illegal means, however repugnant it may be to their feelings, the landlords must receive a benefit; a temporary and delusive benefit—because, as I have attempted to show, the spoliation of the clergy must endanger the security of all other property. To avert that danger I support these resolutions. I support them also on higher grounds—on the ground that the Established Church is the main defence of the best and purest doctrines of Christianity, and that that church is entitled on considerations of the soundest policy, and of moral and religious duty, as well as on considerations of strict legal right, to the protection and assistance of the Legislature. That protection, and that assistance, will be, in my opinion, most unjustly and unwisely withheld, if we permit the ministers of the church to be robbed of their legal dues, or the revenues of the church to be appropriated to other than ecclesiastical and religious purposes.

Lord *Althorp* said, when he rose at the same time with the right hon. Baronet, he most gladly gave way to him; and he did not regret that he had done so. The right hon. Baronet had, throughout his speech, expressed that which he (Lord Althorp) should have wished to express; but so much more ably, that it was a source to him (Lord Althorp) of gratification, that the right hon. Baronet had preceded him; but these feelings were mixed with regret, at finding himself opposed to many hon. Gentlemen with whom he had usually agreed. He regretted it exceedingly, but the difference was one with which he must bear, feeling, as he did, that it was his duty to stand by the Resolutions which Government proposed, and which, he was firmly convinced, were such as were proper to meet the occasion. These Resolutions were divided into two parts; one of which gave the power to Government of enforcing the law, and protecting the rights of the Church—rights which, as the law at present stood, had, of late, in many instances, been openly attacked and successfully resisted. The other part was intended to provide for the future welfare of the Church. The hon. members for the counties of Louth and Kildare had objected to the speech of his right hon.

friend (Mr. Stanley) both as to its temper and tone. He had listened most attentively to that speech, but had heard nothing in it calculated to excite hostility. It was necessary to show the people of Ireland that turbulence must be suppressed, and the authority of the law supported. There was nothing in the observations of his right hon. friend which could lead to the construction which had been put upon them: he stood upon the necessity of supporting the law, and the vested rights of the clergy—a body who, it had been admitted, had not claimed exorbitant tithes from the people of Ireland, and whose just demands had been resisted by open violence. It was the duty of Government to repress turbulence in Ireland as in any other part of the United Kingdom—to show that, whenever turbulence appeared, it must be suppressed, and that the power of the law must be asserted; and a Government that would hesitate in doing this, would be unworthy the support of Parliament and the country. When the hon. Gentleman looked to the case of the Protestant clergy in Ireland, he appeared to consider it as one of an emigrant clergy, who were dependent on charity, and that it was a degradation to the Roman Catholic to be called on to pay their tithe. He (Lord Althorp) could not conceive how any man could think it a degradation to submit to a charge which was attached to his property previously to its coming into his possession, whether by inheritance, or otherwise. Again, it had been said, that this measure ought to be delayed, and that it had been too hastily introduced. These observations were made at a time when combinations against the payment of tithes were forming and spreading from parish to parish throughout the country; and yet the Government was called on to hesitate. Any government, which would submit to such a state of affairs as this without exerting its energies, would be undeserving the confidence of that House and the country. It had been said, that the course Ministers were pursuing was calculated to lead the people of Ireland to infer, that there was a combination in that House, guided solely by the principle of showing the power of England over Ireland; but he most sincerely hoped that such an opinion was not entertained. When the House went into the details in the Committee, the statements of his right hon. friend would be clearly established, and the measure proposed would not be considered in the light in which it appeared to be at present, by many of those hon. members for Ireland, with whom Ministers had had the honour of voting during the sitting of Parliament. With respect to the fifth Resolution, the right hon. Baronet had properly understood the intentions of his Majesty's Government when he said he should support that Resolution: and, having said this, it was but just that he (Lord Althorp) should state the grounds on which it was supported by Government. From existing circumstances it had become necessary that a change in the system, with respect to the collection of the funds of the Church of Ireland, should take place. It was not necessary to apply Church property to any other purpose than that for which it was originally intended, namely, the use of the Church, giving to that term the most liberal construction. The landlords of Ireland had no right to any part of that property: the relief proposed was to the occupying tenantry. If the contrary were intended, he should not lend himself to any such measure. It had been said of that Resolution that it was no remedy for the grievance, and that the words in the Resolution, as to "a total extinction of tithe," could not be applicable to this measure. The present Resolution would clearly effect that for which it was intended—it would relieve the tenantry from a burthen of which they had loudly complained. It did not pledge the House to the total abolition of the charge arising from tithe, but only to an arrangement tending to relieve the occupying tenant. Were the tithe totally extinguished in Ireland, the competition for land was such, that high rents would still be maintained; and the probability would be, that the tenantry thereby would in no great degree partake of the benefit derivable from the change. Tithes, as they now stood, were a direct tax on their industry; for the greater the exertions of the tenant in the improvement of his land, and the greater the increase in its production, so much the greater was the claim for tithe. This would be removed by the operation of the Bill proposed, and the tenant would be encouraged to pursue his labour in the improvement of his land without any such unpleasant reflection as that he now entertained. Under these circumstances, when the House pledged itself to place additional power in the hands of the Government, it did so with a pledge that it would have the effect of giving a great relief to the occupying tenantry of Ireland, and he hoped that, on these grounds, it would meet with the support of the House. At so late an hour of the night he did not feel himself called upon to detain the House any longer by further observations.

Lord *Killeen* said, the subject now before the Committee was one of such overwhelming importance to Ireland, that, even at that very late hour, and reluctant as he was at all times to take up the time of the House, he felt himself imperatively called upon to make a few observations on the proposition brought forward by the right hon. the Secretary for Ireland. Before he proceeded to the consideration of the Resolutions proposed to the Committee, he was anxious to say a word or two in reference to the conduct of himself and those with whom he had voted on this subject a few nights ago. He had heard that the conduct of the Irish Members on that evening was considered what, in parliamentary language, was called factious, and that they were accused of ingratitude, and a wish to embarrass his Majesty's Government. He should have thought that the name and character of his hon. friend, the member for Armagh, who proposed that amendment, would have been sufficient to protect them from such an imputation; and, as for himself, he declared that he was actuated solely by a wish to delay the consideration of this great subject till the evidence was complete, and the subject more thoroughly understood. He had been favourable to delay, and his opinion had been much strengthened since he heard the opening speech, that evening, of the right hon. Secretary for Ireland. Standing, as he did, on that side of the House, anxious for the well-being of the present Administration, it was with deep regret he heard some parts of his (the Secretary for Ireland's) speech, which he must consider as most disastrous to the popularity of the present Government in Ireland. He had been anxious for delay, because the Report of the Select Committee was incomplete and unsatisfactory. The proposal of the right hon. Secretary, though divided into five Resolutions, might be considered as consisting of three points: the first he considered, not as a measure of charity, but one of retribution and justice; the second was one of coercion and severity; the third, one of prospective relief. To the first he should offer no opposition whatever; the second he felt to be objectionable; and the third to be vague and indefinite. If these three measures had been contemporaneous, there would be no necessity whatever for coercive measures; because, if a hope of present and immediate relief were held out to the suffering people of Ireland, the arrears would be paid, without having recourse to such extraordinary powers. He complained that, while two of the measures were present and immediate, the third, and most important of all, was indefinitely postponed; and the right hon. Baronet (the member for Tamworth) told the House, that he believed it would be two years before an adjustment of the Tithe Question could take place. He agreed with that right hon. Baronet, that the rights of the present incumbents should be respected, and the arrears paid; but even he admitted that, after the expiration of what he called the vested interests, new arrangements should be made to consider the peculiar circumstances of the Church livings in that country—with a view, he must suppose, of adapting them more to the circumstances of the relative situation of the clergy to their flocks. In the situation in which he stood in that House, he might, perhaps, be suspected of entertaining a hostile feeling to the Established Church, because it was known that he dissented from its religious tenets. He was aware that, upon questions of this nature, his conduct, and that of those other Members who agreed with him in religious opinions, was closely watched. The right hon. Baronet had, indeed, exemplified this by his observations. He did not complain of this—it might be quite fair, quite natural; but he could assure the House, that he viewed this subject solely as an Irish Member of Parliament, and was not desirous to seek the overthrow of the Established Church. He trusted he should not be considered an enemy of that Church, when he declared his conviction, that it must be suited more to the peculiar circumstances of Ireland, and that it could never be secure, till it was more popular, and less rich. The right hon. member for Tamworth had commented severely upon an expression which had fallen from his hon. friend the member for Kildare, when he said he considered the payment of tithe as a badge of degradation, and one imposed upon a conquered country. He (Lord Killeen) did not go the length of his hon. friend, and could not consider that, in paying tithe, he was paying a tribute to a conqueror. He did pay it reluctantly—most people did; and he, of course, could not but feel that while, by law, he was obliged to contribute to the support of a rich clergy, those from whom he received spiritual consolation were very inadequately remunerated. In the discussion of this important question, it must be recollected that he was acting as a Member of the Legislature; and he could not forget that, when he entered that House as a free citizen of this great country, he was sworn, at that Table, not to exercise any power to which he should, as a Member of Parliament, become entitled, for the purpose of overthrowing the Established Church of this country.

Mr. *Ruthven* moved, that the Chairman report progress; which Motion was acceded to, and the Committee appointed to sit again.

HOUSE OF COMMONS,

Wednesday, March 14, 1832.

MINUTES.] Bills brought in. By the LORD ADVOCATE, for Altering and Amending an Act passed in the present Session of Parliament, for the Prevention, as far as may be possible, of the Disease called Cholera, or Spasmodic, or Indian Cholera, in Scotland; and to Regulate the Powers and Duties of the Courts of Law in Scotland in Relation to the Diligence of Arrestment on Wages. Read a second time; Registry of Deeds (Ireland). Read a third time; Coal Trade (Dublin.)

Petitions presented. By Lord CASTLEREAGH, from Dromore, and the Presbyterian Congregation of Donoughmore; and by Mr. JAMES E. GORDON, from Stambourne, Bruera, Clare and Smisby, against the Government Plan of Education in Ireland:—By Mr. MAURICE O'CONNELL, from the Inhabitants of Kilfinaghty, for the Repeal of the Sub-letting Act, and the Vestries Bill; from the Inhabitants of Clashmere, for an Alteration of the Law which interdicted Officers Widows from again Marrying without losing their Pensions; from the Guild of Painters and Glaziers; and of Tobacco Spinners in Galway, to Equalize Civil Rights in that place; from the Members of the National Trades Political Union, Dublin, for the Abolition of Tithes; from the inhabitants of Clonmel, for an increased number of Representatives for Ireland; from the Members of the National Trades Political Union, Dublin, for the Repeal of the Act by which the Collection of Ministers' Money is authorized:—By Lord BRABAZON, from the Inhabitants of Swords, against the Amount of Toll levied on the Road between that place and Dublin:—By Colonel HUGHES, Chairman of a Meeting of the Inhabitants of Grantham, in favour of Reform:—By Mr. HUNT, from the Inhabitants of St. George the Martyr, Southwark, against the Anatomy Bill, and the Corn Laws:—By Mr. WILKES, from the Members of Friendly Societies in Birmingham for the Amendment of the 10 George 4th:—By Mr. CROKER, from the Corporation of Arundel, against the Divisions of Counties Bill:—By Mr. BLAMIRE, from the Inhabitants of Brigham, Greysouthen, and Eaglesfield, in favour of the Bill for Limiting the Hours of Work in Factories.

FACTORIES REGULATION BILL.] Mr. Sadler presented Petitions from the inhabitants of Dean-street, Soho, from the Flax Spinners of Edinburgh, and from the inhabitants of Debtling, in favour of the Factories' Regulation Bill.

Mr. *John Wood* wished to take that opportunity to correct an erroneous impression which had gone abroad in the manufacturing districts, that those hon. Members who insisted upon a full inquiry into the question were enemies to the Bill. It had also been stated, among the operatives of those places, that all those who voted for inquiry were enemies to the working people, and that their sole object was, by delay, to obstruct the progress of the measure. He wholly acquitted the hon. member for Aldborough of having been a party to the creation of such an impression, but that did not diminish his regret that it existed. If a charge of delay could be established against any person, it must be the hon. Member himself who had resisted the Bill being sent to a Committee. He was aware that it was easy to procure popularity by proposing to abridge the hours of labour, but it was not so well understood that wages must be abridged also, and he believed the effect of the hon. Member's Bill would be, if passed in its present shape, materially to reduce the total earnings of a family, and to throw many persons wholly out of work. He was, therefore, anxious to have it improved, so that it might fully answer its purpose, and finally settle the question. It was notorious that perjury to a considerable extent prevailed at present, of parents evading the law for the employment of children, by swearing they were much older than they really were. If all these details were to be discussed in the House, they would never get through them, and, therefore, it would be much better to have the Bill referred to a Committee, where all the bearings of the measure could be inquired into. It was likely, by that means, that the whole matter would be made as perfect as circumstances would permit, so as to prevent the necessity of future legislation on the same subject.

Mr. *Hunt* differed from his hon. colleague, when he said, the delay of the Bill had been caused by the hon. member for Aldborough. The fact, in his opinion, was quite the contrary. The delay had been caused by those who proposed a Committee; but let that be as it might, he hoped no further time would be lost disputing about that which had already been vasted, when the misery of poor children vas the consequence.

Mr. *Hume* had never objected to the rinciple of the Bill, so far as the protecion of children was concerned. On the ontrary, he approved of legislating in heir behalf, but, like the hon. and learned nember for Preston (Mr. J. Wood), he vished to make the measure complete by aving it referred to a Committee.

Mr. *Sadler* begged to be allowed to ay, in his own behalf, that he was most nxious to proceed with the Bill, and had nly put off the discussion to suit the conenience of Ministers. He was afraid, vhen he remembered the time during vhich the hon. member for Westminster's Bill was before a Committee, that if the resent Bill was referred to one, it would ot become a law this Session, and the neessity of legislating was so apparent, that e was unwilling to submit to the delay of Committee, when he considered they ould obtain no new evidence on the subect.

Mr. *Philip Howard* said, the question was very delicate one, as it interfered between he employer and the employed. He was lecidedly of opinion that no legislation was ecessary for persons above the age of foureen years: they could make their own ontracts, or their parents for them, he vas very unwilling to interfere, and there vas such conflicting interests, that the vaious bearings of the measure could only e dealt with by a Select Committee.

Petitions to be printed.

EMIGRATION.] Mr. Alderman *Wood* aid, he had a petition to present from Mr. Cobbett, the eminent writer. The petiioner argued against the principle of Emiration, and contended, that if the Irish abourers were kept in their own country, here would be no excess of labourers in his country. The petition prayed that he Legislature would not continue to send he people of England and Wales into foeign countries, and that no part of the ublic money should be applied to encouage emigration.

Mr. *Hume* thought, the petitioner was nder a mistake in supposing that there ow existed a Commission which had reeived a grant of money for the encouagement of emigration. The Commision had no object of that kind in view; he elieved it only furnished individuals who vere desirous to emigrate with the best inormation.

Mr. *Briscoe* thought, there could be no doubt that the want of a provision for the poor of Ireland, in their native country, tended greatly to produce distress amongst the labouring population in England. In that part of the borough in which Cholera was said to prevail, twenty out of every twenty-five were Irish; and if those persons returned to Ireland, they could find neither employment nor provision.

Petition read.

Mr. Alderman Wood moved that it be printed.

Mr. *Hunt* observed, that, since he had a seat in Parliament, he had seen no instance in which the House ordered the petition of an individual to be printed.

Sir *Robert Peel* said, that the hon. Alderman who presented the petition, and who thought it of so much importance as to move it to be printed, seemed to know but little about it; for, he had said, that it came from one of the most eminent writers of the day, and it proved to be the petition of William Cobbett, a labourer in the parish of St. Dunstan in the West.

Mr. Alderman *Wood:* Well, that is William Cobbett, whom I described as one of the most eminent writers of the day; and I dare say he is not wholly unknown to the right hon. Baronet.

Sir *Robert Peel* was struck with the description at the head of the petition, but supposed he was mistaken, and that the hon. Alderman was right. Whether it came from a labourer or an eminent writer, however, the general rule ought to be applied, and the petition, coming from an individual, could not be printed.

Mr. Alderman *Wood* said, that Mr. Cobbett had been designated a labourer by the Attorney General in a recent prosecution.

Motion to print the petition negatived without a division.

REFORM—CASE OF MERTHYR TYDVIL.] Colonel *Wood* presented a Petition from the inhabitants of Merthyr Tydvil, praying either to be allowed to return a separate Representative, or to be allowed to vote for the county of Monmouth.

Lord *John Russell* thought this a convenient opportunity to state that, as the hon. member for Cardiff had given notice that, in a future stage of the Reform Bill, he should move, that Merthyr Tydvil be inserted in schedule D, with a view to its returning one Member, it was the intention of his Majesty's Government to support that Motion. At the same time they intended to propose, that the county of Monmouth should continue, as at present, to return only two Members.

Lord *Granville Somerset* had heard a rumour of the intention of his Majesty's Government, as now stated by the noble Lord, but he did not believe it. He put it down as one of the numerous false statements which had got abroad as to the intentions of his Majesty's Ministers. If he had not heard it from the lips of the noble Lord, he could not have believed that they would have adopted any thing so inconsistent with the rules of parliamentary fairness or of justice. Was it just, he would ask, at the eleventh hour, after the Bill had been three months before the House, to come forward with a proposition of this kind at the last moment, and when there was no opportunity of putting the House in possession of the merits of the case? He considered that such a line of conduct did not redound to the credit or character of Ministers, nor of the Bill. He should certainly vote for giving a Member to Merthyr Tydvil; but, though taken by surprise, he hoped he should be able to convince the House that the county of Monmouth was better entitled to three Members than any other county to which it was proposed to give that number of Representatives. He should also expect to hear what circumstances had arisen within a few days to cause a change in the intentions of Ministers on this point.

Colonel *Wood* was taken as much by surprise as the noble Lord, by the declaration of the intentions of Government. He was glad the claims of Merthyr Tydvil were to be attended to, but he was sure that the petitioners had no wish to obtain a benefit at the expense of the county of Monmouth.

Sir *Robert Peel* said, that he really could not understand upon what principle the change proposed by the noble Lord was to be made. If Ministers thought fit to change their intention with respect to Merthyr Tydvil, and to give that place a Member, it appeared to him that they ought not, therefore, to take one from the county of Monmouth, but rather from one of the new boroughs—Gateshead or South Shields, for instance.

Parliamentary Reform—Bill for England — Report.] Lord Althorp moved the Order of the Day for taking into further consideration the Report of the Committee on the Reform of Parliament (England) Bill.

Mr. *Croker* said, that the proper time had arrived for him to put on record the views and opinions which had been maintained by him and several of his hon. friends who acted with him with respect to the Reform Bill. For this purpose, he had drawn up a series of Resolutions in which those opinions and views were embodied. He would not put the House to the trouble of dividing upon them, to negative them would be sufficient for his purpose. His object was, to have his opinions placed on the journals of the House, in order that, in future times it might be known upon what principles he and the party with which he had the honour to be connected, had acted with reference to this great question. He would not enter into any detailed statement respecting the Resolutions. The matters of fact which they contained, every man must admit to be truth, but the inference which was drawn from them of course the noble Lord opposite would deny. He believed the usual course for the mover of an Amendment was, to read it regularly through in the first instance, but as that which he held in his hand was rather long, he would, to save the time of the House, at once move his Resolution as an amendment on the Motion of the noble Lord.

The Amendment having been seconded, the Speaker read it as follows:—The preamble of the Reform Bill professes to have five principal objects in view—1. The disfranchisement of inconsiderable places—2. The enfranchisement of large, populous, and wealthy towns—3. The creation of an extended and uniform right of voting in boroughs—4. The increasing of the number of county Members—and 5, and last, the diminution of the expenses of elections. That, in every one of these points, the provisions of the Bill are, in a greater or less degree, erroneous in their principle, inconsistent in their details, and irregular and unjust in their operation.

1. That the Bill states no rule or principle by which to determine what places are to be deemed "inconsiderable," and that, in fact, several places are wholly or partially disfranchised, which, in the ordinary acceptation of the words, and in public estimation, are more considerable than some others to which the franchise is preserved:—Thus it cannot be doubted that Appleby, the county town of Westmoreland, the only bo-

rough, and the largest town but one, in that county, is a more considerable place than Midhurst or Westbury, and that Dartmouth, a sea-port town, with a population of 4,566 inhabitants, 411 houses of the value of 10*l.*, having 367 registered ships belonging to it, and paying Custom duties of 3,630*l.* a-year, is a more considerable place than Marlow, which has but 3,370 inhabitants, and only 180 10*l.* houses. That it has been stated, as another principal and just cause of disfranchisement, if a borough should be so much under the influence of some individual interest, as that a person recommended by that interest is almost certain of being elected; but it is notorious that some of the boroughs, which are to be totally, and many which are to be partially disfranchised, are, even now, more independent than several others to which the franchise has been preserved, and even than some in which a new franchise is to be created; and that the majority of disfranchised boroughs would, if their limits were to be extended, as has been done in the case of the majority of boroughs preserved or created, obtain a constituency, in some cases, equally numerous, and, in almost all, equally independent. That, whether a town be or be not "inconsiderable" must depend on the facts, and on the actual circumstances, of the place itself, its population, its extent, and its wealth, and not on any arbitrary tests, or ingenious devices, by which such facts may be coloured or concealed, and that no tests can be just and satisfactory which produce different and contradictory results from the same unaltered premises, yet, it appears, that the tests applied to form the schedule under the three Reform Bills, have drawn such different results from the same facts, that the five towns, viz. Aldborough, Buckingham, Malmesbury, Okehampton, and Saltash, which were to be utterly disfranchised by the first Bill as inconsiderable places, were by the second Bill to retain one Member, and that eight others, viz., Leominster, Morpeth, Northallerton, Sandwich, Tamworth, Truro, Westbury, and Wycombe, which were partially disfranchised by the first, were maintained in their full franchise by the second; while, on the other hand, the following towns, viz., Eye, Midhurst, Petersfield, Wareham, and Woodstock, which were by the second Bill to have been totally disfranchised as inconsiderable places, are, by the present Bill, to retain one Member, and that no less than eighteen boroughs, viz., Bodmin, Bridport, Buckingham, Chippenham, Cockermouth, Dorchester, Evesham, Guildford, Honiton, Huntingdon, Lymington, Maldon, Marlborough, Marlow, Richmond, Sudbury, Thetford, and Totness, which were by the former Bills to have been wholly or partially disfranchised, are, by the present Bill, to preserve their entire franchise; and that, again, five other places, which, by the former Bills were to retain one Member, are by the present, to be utterly disfranchised, and that, during all these changes, it is notorious, that there was no change or alteration in the circumstances of any of these places, but only in the varying and uncertain rules by which it pleased his Majesty's Ministers to measure their importance. That the numbers of fifty-six and thirty boroughs in schedules A and B are arbitrary, and assumed without any stated rule, or any reference to the actual or to the future possible state of the Representation or constituency of the several boroughs. That the list prepared by Lieutenant Drummond for determining the order in which the said fifty-six and thirty boroughs should be selected for total or partial disfranchisement has been formed on disputed facts and on inapplicable principles. That the statement of the amount of population and of assessed taxes on which the said list is formed are, in many instances, incorrect, and not derived from one common rule applied impartially to all the boroughs. That the population of some of the boroughs in the said list is apparently increased by the addition of districts beyond the actual town, while in others the account was closely restricted to the actual town, and, in some instances, to less than the actual town; by which means towns of a less population have been partially and unjustly placed in the said list, above towns really having a greater. That the amount of assessed taxes stated in the said list is liable to a similar objection, the taxes of adjoining districts being in some cases admitted, and in others excluded; but it is also liable to this further objection, that it does in some cases include, and in others exclude, one class of taxes, which might affect the position of the respective boroughs on the list. That in cases in which the sum of assessed taxes was disputed, contradictory decisions have been made; as in the case of Dartmouth, it was contended, that the amount should be calculated on the sum assessed, and not on the sum actually paid; while, in the case of Helston it was held, that it should be made on the sum actually paid, and not on the sum assessed. That even if the data on which the said list was formed were undisputed, the mode in which they are applied is arbitrary and erroneous. That, in order to determine the position of fifty-six and thirty boroughs respectively, the averages of one hundred boroughs were arbitrarily taken, which number of one hundred, excluded from the calculation of the averages ten of the boroughs which are to be disfranchised, and included fourteen others which are not to be disfranchised. That, by such arbitrary selection of one hundred boroughs, and by the arbitrary exclusion from the calculation of ten boroughs which are concerned in the result, and by the arbitrary addition of fourteen others which are not concerned in the result, the remaining boroughs are placed on the list in an order different, in numerous instances, from that in which they would have stood had their importance in relation to each other only been considered. That the principle of classing the boroughs, by the comparison of the population and taxes of each, with the averages of the whole might be correct and fair for any purpose in which the whole of the boroughs entering into the calculation should be concerned, and in which each were to have a proportionate interest, as if a contribution were to be levied from, or a certain quantity of Representation divided among, all the boroughs in the proportion of their population and taxes:—thus, if it were proposed that one hundred boroughs should contribute to the election of one hundred Members, this mode would fairly enough determine how many votes each borough should have in the election of the general number; but when, as in the present case, the question is of a very different nature, namely, which of two boroughs should be disfranchised, the result should be determined by a comparison with the boroughs immediately concerned, and not by their relation to various distant places with which they can by no possibility enter into competition.

"2. That the schedules C and D have been framed either without any principle or rule whatsoever, or that any principle or rule which may have been applied in some cases, has been arbitrarily departed from in others; as when the continuous mass of buildings which compose Manchester and Salford, containing 182,000 inhabitants, and paying 32,000*l.* a-year in assessed taxes, are divided into two boroughs, and return two Members for the first, and one for the second, while the continuous mass of buildings which compose Liverpool and Toxteth-park, containing 189,000 inhabitants, and paying 65,000*l.* a-year in assessed taxes, are united in one borough, and return only two Members, and Gateshead, which is contiguous to Newcastle-on-Tyne, and in which a considerable number of the electors of Newcastle actually reside, is separated from Newcastle, and formed into a distinct borough, by which means the mass of buildings which compose Newcastle and Gateshead, containing 57,700 inhabitants, and paying 17,000*l.* a-year in assessed taxes, obtains one Member more than Liverpool and Toxteth, which contain above three times the population, and pay nearly four times the amount of assessed taxes. That, in some cases, as that of Stoke-upon-Trent in the Potteries, and that of Stroud, in the clothing district of Gloucestershire, many populous places, situated many miles distant from each other, are included in one borough, while in the coal and iron district of Staffordshire, the towns of Wolverhampton, Dudley, and Walsall, have been divided into three distinct boroughs, although these towns are not so distant from each other as some of the places in the boroughs of Stoke-upon-Trent and Stroud, and, although they are connected, like the towns in Stoke and Stroud, by common commercial interests. That, if it be expedient to create so many boroughs in that district of Staffordshire, there are places which have stronger claims than Dudley or Walsall, or than Dudley and Walsall put together, namely, that district comprising the towns of Darlaston, Wednesbury, Tipton, and West Bromwich, which lies between, and immediately contiguous to, the proposed boroughs of Dudley and Walsall, and which contains on a space not, as is supposed, so large as these two proposed boroughs, a population of 45,362 souls, while Dudley contains but 23,000, and Walsall only 15,000. That, in the case of Walsall, a district called the Foreign of Walsall, is added to the township of Walsall, which raises the apparent population from 6,401 to 15,000, while the similar districts called the Foreign of Reigate, and the Foreign of Kidderminster, have not been so added to the towns of Reigate and Kidderminster. That his Majesty's Ministers have declared, that, in forming those schedules C and D, they have been guided by the amount of population of the several towns, whereas it, on the contrary, appears by the population returns, that several towns which are not constituted into boroughs, have a larger population than several others which are thus enfranchised, the apparent population of these latter having been (as in the case of Walsall above stated) swelled to a greater amount by the addition of neighbouring districts; while, if similar neighbouring districts were to be added to these unrepresented towns, their population would maintain its superiority over that of several of the proposed boroughs. That, notwithstanding the additions thus arbitrarily made to several proposed boroughs, it appears that the principle of population has not been carried into effect; for each of the towns of Merthyr Tydvil and Toxteth-park have a greater population than any of the nineteen boroughs in schedule D, except only two; that the proposed borough of Whitby (even with the addition of two townships) appears, by the population returns, to have a smaller population than eight unrepresented towns, Whitby being, with its additions, stated at 10,300, while Gosport has 12,637, Croydon 12,447, Trowbridge 10,863, Doncaster 10,801, Loughborough 10,800, Tunbridge 10,380, Margate 10,339, and Barnsley 10,330; and the proposed borough of Kendal, containing, with its additions, 11,600, is less populous than Gosport and Croydon. That this declaration of his Majesty's Ministers, that, in conferring the franchise, they have been guided by the amount of population, is not only contradicted by the above stated facts, but is inconsistent with the preamble of the Bill itself, which states, that it is expedient to grant Representation "to large, populous, and wealthy towns." Notwithstanding this declaration of the preamble of the Bill, that "wealthy" towns should be so selected, and notwithstanding his Majesty's Ministers have adopted, in the schedules A and B, the amount of the assessed taxes as the test of wealth, it appears, that there are four proposed boroughs in schedule C which are to send two Members to Parliament, which pay less assessed taxes, namely, Blackburn 2,300*l.*, Bradford 2,444*l.*, Macclesfield 2,500*l.*, and Oldham 2,000*l.*, than seven unrepresented towns, viz., Croydon 7,273*l.*, Leamington 5,925*l.*, Margate 5,069*l.*, Doncaster 3,503*l.*, Ramsgate 3,493., Gosport 2,943*l.*, and Kingston-on-Thames 2,913. That another principle which has been advanced is, that, in creating new boroughs, regard should be had to the state of Representation in the neighbourhood, so that large districts having distinct interests should not be left unrepresented, and that an undue share of Representation should not be accumulated on one point; that, nevertheless, in contradiction to this principle, Salford is to be created a separate borough, though it adjoins the proposed borough of Manchester, and is within twelve miles or less of the proposed boroughs of Stockport, Bury, Bolton, and Rochdale; that the proposed boroughs of Wolverhampton, Dudley, and Walsall, are contiguous to each other, and the last is within nine miles or less of Birmingham and Lichfield:—That Gateshead is to be erected into a borough, though it adjoins Newcastle, and that South Shields and North Shields are to be also distinct boroughs, though separated only by the river Tyne, the medium of their common commerce and interests; and, although Gateshead, Newcastle, North Shields, South Shields, and Sunderland, are in the immediate neighbourhood of each other, while Merthyr Tydvil, with a population of 22,000, is twenty-one miles from the nearest borough, and that Dorchester, Alnwick, Ely, an episcopal city, the only one in the kingdom unrepresented, and the centre of the peculiar interest connected with the fens, and Yeovil, the seat of considerable manufacture now imperfectly represented, are all situated in districts where there happen to be no borough nearer than seventeen, twenty, and even thirty miles, and are also superior in amount of population and of assessed taxes to Walsall and Whitby.

"3. That, although the new right of voting in boroughs will, in many of the old boroughs, and in all the new, create a large constituency, it appears from a comparison of the statements of the Commissioners as to the probable amount of future electors, with the existing numbers, that in many towns the constituency will be materially diminished, and in some to such a degree, as must affect the independence of the borough. That the supposed uniformity and equality of this new right of suffrage, will be, in many instances, delusive, as houses of the same nominal value of 10*l.* are very different in real value and respectability in different parts of the country; so that in some towns the number of houses of the value of 10*l.* and upwards, are to the whole number of houses in the town only as one in five or six, and even sometimes so few as one in eight, while in others, they are three out of five, and, in the proposed borough of Marylebone, seven out of eight:—from this it is obvious, that persons of an equal condition in life, who happen to reside in different places, will not enjoy an equal right of suffrage under this supposed system of equality and uniformity. That the supposed simplicity and certainty of this right of suffrage will also be, in a great measure, delusive, and liable to great uncertainty and litigation, inasmuch as the right of voting is made to depend on the value of the house, though there is no rule given by which such value can be ascertained, the most obvious, convenient, and usual test of value, namely, rent or rating, having been intentionally excluded; and no check is provided against such individuals affixing, for the purpose of obtaining a vote, what value he may please on his own tenement; and it is possible that a house of the real value of 2*l.* per annum might, with the adventitious value of conferring a vote in a borough, be, in the owner's estimation, worth 10*l.* That in all the other details relative to this right of voting, every check which might tend to secure the respectability and independence of the elector has been rejected:—it was at first proposed that the voter should have inhabited one tenement for an entire year, he may now change his residence every week:—it was at first proposed that he should have held at a yearly rent, and have paid up the rent before he could vote; he may now hold by the week or even by the day, and need not have paid any rent whatsoever; all that is required is, that he should have been rated, to any amount, however small, and should have paid such rate and all assessed taxes due by him; it being notorious that the great majority of persons inhabiting houses of about 10*l.* value pay no assessed taxes whatsoever, and, finally, that different persons may vote out of the same tenement, by all which provisions it may happen, particularly in great towns, that there may be more electors than houses in a borough, and in all places the respectability and independence of the electoral body must be considerably impaired. That the reservation of the rights of freemen, provided they reside within seven miles of the borough of which they are free, will operate in some instances great inequality and injustice, as in the case of Newcastle-upon-Tyne, which has some hundred freemen resident in Gateshead, North Shields, South Shields, and Sunderland; the freemen resident in the three latter places will be disfranchised, while those resident at Gateshead will not only preserve their franchise, but, if inhabiting a 10*l.* house in Gateshead, will have votes for both the boroughs, and be thus in a better condition than the most respectable inhabitants of Newcastle itself.

"4. That the county representation is, by the provision of the Bill, arbitrarily and irregularly distributed, and will not, in many instances, it is apprehended, represent a county constituency. That it is professed to give to certain counties, having large populations, twenty-six in number, four Members each; to certain middle-sized counties three each; and to the lowest class of counties two, as heretofore; but in this class is included Middlesex, which is more populous and wealthy than any other county in England, and the West Riding of Yorkshire, which exceeds every other county in England, except only Lancashire. That the counties which are to receive four Members are to be divided into two, for all the purposes of the Bill separate and distinct counties, while those which are to have three Members remain undivided; the result of this arrangement is, that the new counties which appear so favourable with a double representation, will, in fact, have a smaller representation than the smaller counties; thus, supposing the old counties to be divided into two parts nearly equal in population, twenty of the new counties returning each two Members, will have a greater population than the largest (Dorset) of those returning three Members, and twenty-six of the new counties, with only two Members, will have a greater population than the seven other returning three each:—thus several counties having less than 150,000 inhabitants, will have three Members, while West York, with 976,000, and each division of Lancashire with 667,000, will have only two; but excluding from this consideration Middlesex, West York, and Lancashire, which may be thought to be peculiarly circumstanced, the counties of Devon, Kent, and Somerset, containing 300,000 inhabitants more than the eight counties altogether, are yet to return but half the number of county Members; and these results are produced by a system which affects to give to county population proportionate representation. That the amount of county representation in general was allotted by the Bill, and supported, as bearing a certain proportion to the general amount of borough representation, insomuch that, when in the course of discussion, a Member happened to be added to the county representation, his Majesty's Ministers thought it expedient that a corresponding addition should be made to the number of borough Members; but, notwithstanding this proposed system of distinction and balance, the county constituency is virtually subjected to a great, and, in many instances, predominant interference from the borough constituencies, by admitting persons who may happen to have a freehold in a borough, to vote for the county at large, by which a large class of persons may obtain double votes, and the balance between the influence of the towns and the influence of the counties, will be every where impaired, and, in some cases, wholly destroyed.

"5. That, with regard to the fifth and last object of the Bill—the diminution of the expense of elections—it is not easy to foresee whether candidates will be as ready to incur great expenses for obtaining seats under the new system as under the old; but supposing that they will be so, it may be doubted whether, under the present provision of the Bill, any saving will be effected to the candidates, while it is certain that a great and a new expense will be imposed on the parishes and counties, and on the public at large. That, as to parishes and counties, although the expense of lists, registers, and other clerical arrangements may not be considerable, yet it is provided, by the 55th clause, that not only such expenses, but "all others incurred by the Overseers in carrying into effect the provisions of the Act," shall be defrayed out of the poor-rate. That the most important of the Overseer's duties, is the careful and impartial selection of the names to be placed on the lists of votes; that persons omitted from such lists have a right of appeal, and third parties have a similar right against any names which they may think unduly placed on the list; that, unless the Overseer is to defend his list, or at least attend to explain the grounds on which a claim was admitted or rejected, all these provisions will, in practice, become inoperative and mere formalities; but if the Overseers are to maintain their lists, it will be found that they are not in general competent to conduct investigations of such a nature, and they will necessarily require legal advice and assistance, and thus the parish may be involved in a series of litigation and consequent expense. That, as regards the public, the expense, though indefinite, cannot fail to be of a considerable amount; there must be above 200 courts for the revision of the registers and the decision of disputed claims, held every year in England and Wales; that the Barrister holding such courts are to receive five guineas a day, and their travelling and other expenses, and although it is impossible to foresee to what extent of time these courts of revision may be employed, it is evident that, on the lowest calculation, a very considerable expense will be incurred, and a considerable number of legal offices created. That, as regards the expense to individual candidates, it is obvious that at each of these annual investigations, the candidate must take care that his interests are looked after, that the names of his friends are put on the register, and that the names of adversaries are not incautiously admitted, and these matters can hardly be managed without legal advice and attendance, and consequent expense; so that candidates may be involved in a constant canvass and an annual contest. That, of the expenses now incurred by candidates, the only one which the Bill seems likely to diminish is that of the travelling charges of the voters—no doubt a very considerable article—but there are many counterbalancing expenses created by the Bill—there may be in counties so many as fifteen polling places, and two days poll at each, which will be equivalent to thirty days poll at one place, whereas at present a poll cannot exceed fifteen days; at each of these fifteen polling places the candidate must have clerks, agents, and perhaps counsel, and as the poll is to last but two days, the expenses of the candidate, for the slightest contest, will be nearly the same as for the most obstinate and protracted. That, with regard to illegal expenses, the Reports of Election Committees (and particularly some of late occurrence) do not show that a large extension of the franchise to the lower class of householders is likely to prevent bribery, but that, on the contrary, some of the most flagrant instances of gross and general corruption, have occurred in those places of which the constituency approaches most nearly to that which may be expected from the present Bill. That the trial of election petitions—one of the most serious expenses now incident to a contest—will not be rendered more easy or less expensive by the provisions of the Bill, but, on the contrary, will probably become more frequent and more chargeable, not only from the increased numbers of electors, but from the complication of the machinery of the Bill, and, above all, from that provision which leaves returning officers no option in admitting votes, and of course leaves the candidate who may consider himself as aggrieved, no remedy but an appeal to an Election Committee. That, for all these reasons (without adverting to the general principle of Parliamentary Reform), it appears that the Bill now before the House is, in many of its most important provisions, partial, inconsistent, contradictory, and unjust, likely to aggravate many of the evils which it professes to remedy, while it may produce new and serious difficulties and abuses, and inadequate to the accomplishment of many of the most important purposes for which it has been especially recommended.

Amendment negatived.

Lord *Althorp* said, he had avoided addressing the House on the subject of the right hon. Gentleman's Resolutions until they were disposed of, as he thought it better to be a little irregular in entering on the discussion, rather than run the risk of imposing on the Speaker the labour of reading the right hon. Gentleman's pamphlet (for he could call it nothing else) over again. The only analogy that he could find for this essay of the right hon. Gentleman was, the case of a protest in the other House of Parliament; with this difference, however, that the right. hon. Gentleman had taken care to make every Member hear his protest, by having it read from the Chair, while, in the other House, it was privately entered on the Journals, and only read by those who had a fancy for the perusal. There was, however, one point on which he must congratulate the right hon. Gentleman for the discretion that he had displayed, which was, that he himself declined reading his production to the House. It was a matter of some curiosity with him to know whether the hon. and learned Gentleman who seconded the Resolutions had given them a careful perusal.

Sir *Charles Wetherell:* I did not second the Resolutions, nor have I read them.

Lord *Althorp* was somewhat surprised, that the hon. and learned Gentleman had not been intrusted with a perusal of the Resolutions; for they seemed to him to embody all the different speeches and all the different objections made by the party to which the hon. and learned Gentleman belonged; and he, therefore, thought it somewhat hard that the hon. and learned Gentleman had not been afforded an opportunity of contributing his share to the compilation. What he now wanted to know was, what the right hon. Gentleman intended to propose with respect to the printing of his pamphlet. It was quite impossible, he conceived, that it could be printed in time to appear in the Votes of the following day; and it was certainly quite unusual to place a series of Resolutions in an Appendix. He was quite aware, that it was usual to print every amendment in the Votes; but he trusted that, under the circumstances of the case, the right hon. Gentleman would consent to this Amendment being made an exception; for the printing of it would be extremely inconvenient; and he thought that, as a precedent, it would be still more unadvisable, for it would be holding out an inducement to every Member who chose, to indite pamphlets in the shape of Amendments.

Mr. *Croker* could remember instances of a similar course being pursued, though it might happen that the Amendment then proposed had not run to such a length as that which had been offered to the House. That, however, was not his fault, but the fault, if fault it were, of the importance of the question to which it had reference. With respect to the sentiments contained in the Resolutions, the noble Lord seemed to have misunderstood him. He (Mr. Croker) had not said that the Resolutions which he was proposing were those of his hon. and right hon. friends. What he had meant to say was, that they were entirely his own—that he was altogether responsible for them—but that he had endeavoured to insert in them all the arguments that he had heard used by his hon. and right hon. friends against the various propositions contained in the Bill. As to whether it was proper or not that his Amendment should be printed in the Votes, the Speaker was the best judge of that; his only object was, that the Resolutions should be recorded on the Journals of the House, because he was convinced that no page of those Journals would ever, in after times, be so much examined and perused as that which gave an account of the arguments in favour of the Reform Bill, and against it. It was for this reason that he had taken the trouble of drawing up these Resolutions, and he trusted, that he had worded them as briefly and as succinctly as the nature of the case would permit. He certainly should have been glad if he could have saved the House from listening so long to any opinions of his; but, when he recollected the kind of commentaries that had been passed on the Reform Bill, he certainly did not think that the Resolutions were more lengthy than the urgency of the question demanded.

Mr. *Robert Gordon:* The hon. and learned Gentleman having stated, that he did not second the Amendment, I should be glad to know who did; for, if there has been no seconder, the Amendment, of course, falls to the ground.

An *Hon. Member* stated, that he had seconded the Amendment.

Sir *Charles Wetherell* observed, that the noble Lord had, from inadvertence he presumed, been led into an error, by which he had been induced to utter what might be interpreted into a sarcasm on his opinions, but which he was willing to suppose the noble Lord did not intend to cast upon them; at the same time, he must confess it was perfectly immaterial to him whether the noble Lord meant to do so or not. With respect to the Resolutions themselves, he had never heard any that were more able, more acute, more learned, or more analytical, and he gave his opinion because the noble Lord seemed to have some curiosity as to his sentiments. He must, at the same time, beg to inform the noble Lord, that not only did he not second the Resolutions as the noble Lord had erroneously supposed, but he did not even know that his right hon. friend meant to propose any such Resolutions. If he had been asked to second and to support them, he must candidly confess, that he should have declined giving any pledge to do so, because they admitted what he had always denied, that the principle of the Bill, disfranchisement, was correct. Further, he must say, to the noble Lord, that, although he had been threatened with personal violence in one city in England (Bristol) for having expressed his opinions, yet he had the satisfaction to reflect, that he had received the thanks of another city almost as large—he meant the city of Norwich—for having so strenuously defended the preservation of the hereditary rights of the freemen of corporations. He would leave the noble Lord to settle with the printer of the Votes, the question of whether the string of Resolutions should be presented to the House in that form or not. He could not, however, take leave of the subject without tendering to his right hon. friend his most sincere thanks for the course which he had pursued with regard to this Bill; and he must say, that no Member had exhibited more industry, talent, and success, in exposing the fallacies, blunders, and anomalies of this absurd Bill, than his right hon. friend.

Sir *Robert Peel* observed, that the noble Lord had stated, that the Resolutions of his right hon. friend contained all the recommendations of those who had declared themselves adverse to the Reform Bill. He, however, had not understood his right hon. friend to say that; nor did he well see how that could be; for the general principle of the Reform Bill was not at all alluded to in the Resolutions. As he, from listening to the reading of the Resolutions (and he had no other opportunity of becoming acquainted with them), understood their purport, it was, that even supposing the principle of the Bill to be admitted, still there were numerous anomalies and inconsistencies which ought to be corrected; and certainly he must say that, in that respect, the Resolutions appeared to him to contain a very able analysis of the demerits of the Bill, as far as detail went. But, at the same time, he begged to say, as a matter of principle, that he did not conceive himself personally bound by the contents of that Amendment; but that the standard by which he was to be judged was, the observations which he had made in the course of the discussion on this Bill. With respect to the printing of the Resolutions, he hoped that the noble Lord would not propose any departure from the customary rule; for he thought that any alteration in that rule would be much worse than any inconvenience that could arise from the printing of a long series of Resolutions.

Mr. *Croker* observed, that there were already to be found, on the Journals of that House, Resolutions much longer than those which he had then moved, and he was not, therefore, disposed to adopt the course suggested by the noble Lord, for the mere purpose of saving the printer trouble. He had endeavoured, not so much to embody in these Resolutions his objections to the principles of the Reform Bill, as to the mode in which the Ministers had carried those principles into practice.

The Order of the Day and Report taken into consideration.

Several of the Amendments made by the Committee read a second time without any discussion.

On clause 31 being read,

Mr. *Freshfield* rose for the purpose of postponing, until the third reading of the Bill, the Motion (of which he had given notice) of an Amendment on this clause, in order more effectually to secure the right of persons entitled as freemen and burgesses in respect of birth.

Mr. *C. W. Wynn* said, he would take that opportunity of calling the attention of Government to the case of Montgomery. The contributary boroughs connected with that place were in somewhat a peculiar situation. By the Act of Henry the 8th it was enacted, that the shire town of each county should return a Member, which a certain number of places in such county should constitute; in consequence of which two or three places were united to Montgomery. In 1685 their rights were contested, but the House of Commons decided in their favour. In 1728, however, under Sir Robert Walpole's Administration, they were excluded by a vote of the House in the very teeth of the former Resolution of 1685, and the right of election was confined to Montgomery. There was now a petition from those boroughs praying to be placed in the same situation they formerly held; he, therefore, trusted their case would be taken into consideration before the third reading of the Bill.

Lord *John Russell* said, his right hon. friend could hardly expect that the request of these places, to be rejoined with Montgomery, could be acceded to, for they must take upon themselves to repeat the very Act his right hon. friend complained of, by rescinding the Resolution of 1728, for that abrogated the previous one of 1685. Perhaps the latter Resolution was not founded on very pure motives, yet to reverse it now would be a very strong measure.

Mr. *C. W. Wynn* acknowledged, that there was some difficulty in the case, but he trusted his noble friend would read the particulars, as they were recorded in the Journals of the 16th of April, 1728, and then, if his noble friend did not think a sufficient case could be made out in favour of those boroughs, he would not press the matter further.

Schedule A, after some verbal Amendments, read. On coming to the borough of Minehead,

Mr. *Luttrell* said, that having been prevented on a former occasion, when the Bill was in Committee, from going into the case of Minehead, he felt himself now called upon to enter into the merits of that question. He should not have obtruded himself on the House in this stage of the Bill, if he did not think a very strong case could be made out in favour of that borough, and that sufficient reasons could be urged to remove that place from schedule A to schedule B. When the present Bill was first introduced, Minehead was in the latter schedule, but it had been since removed to the former in improper data, as he conceived. In the first place, he thought that the Commissioner who was appointed and visited Minehead on the 2nd of December last, had made his return with respect to that borough too hastily, in order to meet Parliament on the 6th of the same month. In fact, that appeared to have been the opinion of Ministers, for they had sent for further information to the returning officer—a proof that they were not satisfied with the report. He had further to complain, that the whole parish of Dunster had not been included in the borough as it ought to have been. He had no doubt the circumstances of the borough were in the recollection of the House, in consequence of the discussion which they underwent during the progress of the Bill of last Session, but still it might be necessary for him shortly to recapitulate them. The borough of Minehead was composed of the parish of that name, and of a portion of the parish of Dunster; and the inhabitants of the remainder of the parish of Dunster, had, also, an inchoate right to vote for the borough. A parishioner of Dunster had the right, on occupying premises in Minehead, to vote for Members for the borough. The borough, taking it within its narrowest limits, contained 1,682 inhabitants, and 326 houses; but, if the whole of the parish of Dunster was included, the number was considerably beyond this. There were ninety-one houses in the place of the value of 10*l.*, according to the assessment for the poor-rates; but, in reality, the number was considerably beyond this, because, in assessments for the poor-rates, only two-thirds of the value of the houses were taken. The part of the parish of Dunster, the inhabitants of which had not the direct right of voting, was surrounded by the borough of Minehead, and, in point of fact, was nearly in the middle of the borough. Taking, then, the borough, and the whole of the parish of Dunster, there were 165 houses assessed at upwards of 10*l.* The number of the inhabitants of the borough and parish, or rather of the two parishes of Minehead and Dunster, was 2464. There was 3,900 acres of land in the parish of Minehead, and 2,900 in the parish of Dunster. Again, the number of voters was considerable; at present there were 180 resident electors in Minehead, and thirty-five in the portion of Dunster included in the borough. In the year 1802 there were 269 votes polled, and in the contested election of 1807, although the poll was kept open only one day, nearly that number was again polled. One of the objects of the Bill was, to create respectable constituencies: that might be done with great advantage in this case by adding the surrounding districts. If the adjoining parishes within a circle of four miles were taken, it would add 146 houses assessed at 10*l.* Taking, then, the 165 houses assessed at this value in the borough, and adding them to those he had just alluded to, they had the elements of a most respectable and numerous constituency. The borough was situated in the heart of an important agricultural district, and there was no other borough within a considerable distance of it. Great injustice had been committed towards Minehead for boroughs were placed in schedule B, which were in every point of view, of less importance than Minehead: Petersfield for instance had seven houses and 187 inhabitants less than was Minehead. The number of voters polled in Minehead at a contested election was 269, the greatest number of voters ever polled in Petersfield was 56. The amount of the assessed taxes paid by the parishes of Minehead and Dunster, during the last year, was 509*l.*; the amount of assessed taxes at Petersfield was taken at more than this. The borough of Wareham, placed in schedule B, contained 143 houses; the borough of Minehead contained 326 houses; and if the whole of the parishes of Minehead and Dunster were taken, the total number of houses would be 522. Again, Minehead was a seaport, and one of the safest harbours in the Bristol Channel. In addition to these facts he must remark, that the borough nearest to Minehead, Bridgewater, was twenty-three miles distant; and the large and important agricultural district in which it was situated ought not to be left without representation. The population of Minehead, according to the boundary which should have been taken, was 2646, but the population of the limited borough was 1606. If however, the district which he suggested was taken in, the most distant point of which was not four miles from the borough, the population would be 4332. Further he must call the attention of the House to the manner in which Somerset had been treated by this Bill. No less than seven Members were taken from that county, and from the landed interest, and only two Members were granted. He therefore called upon the friends of the agricultural interest to make a stand on this case, and to resist an act of gross injustice about to be committed. He would conclude by moving that the borough of Minehead be omitted from schedule A.

Lord *John Russell* said, the hon. member had stated a variety of reasons to induce the House to agree to his proposition, of which several were not applicable to the case. The whole question in this instance turned upon the fact, whether the borough of Minehead included the parish of Dunster. As it did not include that parish, it was retained in schedule A. The hon. Member had stated no new reasons for his opinion, and therefore it was unnecessary again to refute those which had before been refuted.

Mr. *Goulburn* said, the whole of the parishioners of Dunster had such an interest in Minehead, that they ought to have been included within the limits of the borough. Besides which it was a sea port, and the centre of an important rural district. On these accounts, the boundary ought to have been as much extended as the principles of the Bill, would admit instead of this, however, they had been contracted. Had the strict limitation which had been applied to Minehead, been applied to other boroughs, it would not have been inserted in schedule A.

Lord *Althorp* did not think it necessary to go into the discussion of this case, which had undergone so full a discussion on a former occasion, and as no new facts had been elicited he would content himself with saying that he could not agree to the motion of the hon. member.

Sir *Edward Sugden* had not heard a single word that went to show that Dunster ought not to be included in Minehead, so as to save that borough from disfranchisement. It appeared from some arbitrary rule laid down, that different places were to be treated in a different manner. In Whitby a part was added which had no positive connection with the town, to bring it within the line of enfranchisement, and in Minehead Dunster was excluded, although it actually formed part of the borough or at least was most closely connected with it to bring it within the line of disfranchisement.

Lord *Althorp* said, the difference of the two cases was, that the portion added to Whitby was actually a part of the township, while the greater part of the parish of Dunster was a rural district which had no direct interest in the borough of Minehead.

Mr. *Goulburn* had no doubt whatever that a portion of the township added to Whitby was more rural than that part of Dunster, which he contended ought to have been added to Minehead. Besides which, the inhabitants of Dunster had an inchoate right to vote for Minehead, and might be considered as half freemen.

Amendment negatived.

On the motion that the borough of Dartmouth stand part of schedule B,

Sir *Henry Willoughby* said, he must again call the attention of the House to the case of Dartmouth, which he conceived had been hardly treated and ought not to be included in this schedule. An error had existed in the mode of taking the assessment of that town, which, if corrected, would exempt it from the disfranchisement to which it was now condemned. He had the particulars of one case in his hand where a Gentleman of the name of Higgins had paid 9*l.* 1*s.* to the collector who had only returned 2*l.* to Government. There were many other similar cases; but after the decision of the other night he was aware that it would be useless for him to move any amendment on the present occasion. At the same time he felt it to be his duty to recommend the case of this town to the serious consideration of the noble Lord.

Mr. *Bonham Carter* maintained, that the amount of the assessment of Dartmouth had been correctly given, and consequently that that town had no claim to exemption from this schedule.

Mr. *Goulburn* said, he must support the statement of the hon. Baronet who had directed the attention of the House to this borough. He was convinced that the hon. Baronet had taken a correct view of this borough, for in his opinion the assessment had been erroneously taken. If justice was equally dealt out to all, the town was fairly entitled to representation.

Lord *John Russell* said, the collector committed a fraud on the people of the town and made them pay more than they ought, but the proper assessment to which the borough was actually liable, not his fraud, was taken as the measure of disfranchisement.

Mr. *Holdsworth* insisted that the amount of the assessment had not been correctly stated, and that therefore this borough should be excluded from schedule B. He maintained that it was most unjust to retain it there.

The question that Dartmouth stand part of schedule B agreed to.

The remainder of schedule B agreed to.

On schedule D being read,

Lord *John Russell* said, that the House was well aware that there had been considerable discussion with respect to the town of Merthyr Tydvil, and its right to return one member, and upon deliberation, it had been deemed advisable to allow this privilege to Merthyr, treating it as an English town rather than a Welsh contributory borough. The question was, then, how this could be best effected, and where a Member was to be obtained. It had been proposed at the other side of the House, that for this purpose Gateshead should be omitted, but that could not be acceded to, and it was now considered too late to adopt either of two other propositions—namely, the adding one borough to schedule A, or the taking one out of schedule B. The only other course, therefore, remaining open, if the intention of granting a representative to Merthyr was complied with, was to deduct a member from some of the counties which had obtained additional representation, and it did so happen, that there was one county which, under the old bill, was to receive no addition, but which, according to the new, would have an additional member. He alluded to the county of Monmouth, and to the fact that this was the only county to which three members were given with a population of less than 100,000 inhabitants. Influenced by these considerations, Ministers had deemed it right to leave Monmouth as it at present stood, with two members, and give the third to Merthyr Tydvil. The members for Monmouthshire very probably would not object to this, inasmuch as the member for Merthyr Tydvil would necessarily much partake of the character of the

Member who in the other event would be returned for Monmouth, their interests being quite the same. He should therefore propose as an amendment, that one member be given to Merthyr, and that Monmouth be omitted from the clause enabling certain counties to return three members. This would not at all affect the balance between the agricultural and commercial members.

Lord *Granville Somerset* congratulated the noble Lord on at last discovering that there were reasons which entitled Merthyr Tydvil to a Member of its own. From the statement of the noble Lord, it appeared, however, that the suggestions made, and the reasons urged by that side of the House, had no weight with him, and that it was merely some whim or caprice which induced the Government to give a member to Merthyr Tydvil. It was only on Friday last that the noble Lord argued against Merthyr Tydvil, and urged the superior claims of Monmouthshire, but now he had suddenly altered his mind, without assigning any reason for his conduct. He was glad, at any rate, that Merthyr Tydvil was to have a member, although he must express his surprise at the unjust course now proposed for effecting that purpose. The noble Lord professed that his arrangement would not destroy his nicely-constructed balance between the agricultural and commercial interests, but, in fact, he was about to take a Member from an agricultural county, to bestow him on an important commercial town. The noble Lord might have made a satisfactory and just arrangement by giving up the suburban borough of Newcastle, Gateshead. He, however, declined to do this without assigning any reasons. It, therefore, became necessary for him (Lord Granville Somerset) to look to the returns upon which this new system was founded in order to shew that justice had not been done. The three Members which were allotted to Monmouthshire would have been in the proportion of one Member to every 30,000 or 32,000 persons. In the county of Durham there was to be one member for every 20,000 inhabitants. If the House would refer to the returns, they would find that a great advantage had been given to the North over the South. The proportion of Members given to Durham, Staffordshire, and Warwickshire was too great, and more than ought to have been granted. The conceding a member to Gateshead was an injustice to the whole of the south of England. He would, however, proceed with his statement. Berkshire had one Member to 16,000 inhabitants; Buckinghamshire one to 13,600 inhabitants. Cambridgeshire one to 25,000; Hereford, one to 15,000; Hertford, one to 20,000; and Oxford, one to 21,000: while Monmouth, with three Members, had only one Member to 31,000 inhabitants. Moreover, if the counties were tried by another test, and on the old scale of representation, the result would be, that Monmouth had a number in the proportion of one Member to 98,000 inhabitants; whereas, Berks had one to 71,000, and Bucks, one to 58,000. He could in the same manner go through the list of all the counties whose representation was to be increased by the addition of one Member, and in property and population they were mostly inferior to Monmouth. He wished to ask the noble Lord if he meant to say, that there was not to be any balance preserved between the agricultural and manufacturing interest? If he did not, well and good. But if he did, he certainly in this instance, had acted in direct opposition to that opinion. But the difficult part of the case was, to comprehend the reasons which had operated since last Friday to impress the important claims of Merthyr Tydvil upon his Majesty's Government, the noble Lord having then stated, as the great ground of resistance to the motion on that day, that it would affect the creation of smaller boroughs in Wales. But would not his present proposition have a similar effect? He was aware, that he had no chance of success. Government, in effect, said "we choose to have it so, and it shall be so; and whether it be conformable to the principles of this bill, whether it be or be not right or just, or proper, is nothing to us." They took up a measure of this kind, and insisted on its being adopted. Not one single syllable had been said which afforded the shadow of a reason for taking away the third Member from the county of Monmouth. But at the very last moment, when it was quite impossible that this case could be so fully and deliberately considered as it deserved, and when he was thus taken by surprise he felt he could not do justice to his constituents, in a matter which so materially affected their interests. He left it to the noble Lord, if he had any regard to his own consistency, to explain at whose suggestion the change had been made. He could not believe it came from the hon.

member for Cardiff (Lord Patrick Stuart), because, after the exertions the freeholders of Monmouth had used to support that noble Lord's pretensions to the borough of Cardiff, they would have reason to complain that they were treated very unhandsomely if he had so acted.

Lord *Patrick Stuart* said, that he knew no reason the noble Lord could have to convey such an insinuation and in such a manner against him. He had voted for Merthyr-Tydvil on its own grounds, and his reasons he had submitted to the House, and therefore the noble Lord had no right to assume that he had given any advice on the subject.

Mr. *Goulburn* felt himself called upon to object strongly to the arrangement proposed by the noble Lord, on the ground that it would destroy the balance between the agricultural and manufacturing interests, which they had been at so much pains to adjust. He would maintain that the Government, after the arguments they had enforced to preserve the balance, would act most inconsistently by taking away one of the three Members allotted to the county of Monmouth. In addition to that, he would ask, what security was there, after so many changes had taken place, that Merthyr Tydvil would get the Member which was to be taken from the county?

Lord *Althorp* said, that the proposition now suggested was one which could not be finally decided upon until Monday, and in a different stage of the proceedings, upon which, if the House entertained a different opinion from the Government, it would go for nothing. Merthyr Tydvil was a commercial and manufacturing town of considerable importance, and Government had fixed on Monmouthshire to lose its third member, because it was the only county with a population under 100,000 which, by the Bill, was to have three Members. He would further beg leave to observe, that from the information which had reached him, he did not believe, that the people of Monmouthshire would feel greatly disappointed at not having the additional member. He, therefore, could not see any cause for disappointment, and he was surprised the noble Lord should complain of change at the last hour, if he admitted that discussion relating to the various claims of places was of any use at all.

Sir *Charles Wetherell* said, he must complain that no one knew anything of this proposition until it was brought forward. It seemed, therefore, that the authors of it were ashamed of their own act—further, he must observe, that when Ministers were forced into a tardy justice, as far as regarded Merthyr Tydvil, they could not bring themselves to accomplish it, because it was a proposition from his side of the House, without taking away a portion of its merit, by drawing a tooth out of the county of Monmouth. The Opposition had not been consulted on this occasion, nor even any Member of the Ministerial majority; and he challenged any Member of that side of the House to have the honour and the intrepidity to rise and say, that he knew anything of the proposition till he heard the noble Lord mention it in the House. The Bill-men might be contented with this treatment; but he, as an independent Member of the House, was not, and he protested against such a parliamentary contempt. As to the question of taking a Member from Monmouth, he thought that Merthyr Tydvil could be enfranchised much better at the expense of a Calne or a Tavistock.

Mr. *Hunt* said, he did not object to Merthyr Tydvil being enfranchised at the expense of Monmouth, but, on the contrary, he would have been glad to see all these unicorn counties treated in the same manner.

Lord *Milton* agreed with the member for Preston in wishing that there had been no third Members for counties; but he thought it of little consequence, except to those who looked at what they called the balance of interests, whether the Member was given to Merthyr or to Monmouth; the former place was, in his mind, clearly entitled to a Representative, from whatever quarter that Member might come. He, therefore, concurred in the proposed alteration.

Colonel *Wood* could see no adequate reason why the member for the town of Merthyr was to be taken from a county. He thought it would be much fairer to take one from Halifax, or Brighton, or any one of those five towns which, by the present Bill, were to have two Members, than to take the Member from Monmouth. He protested against this arrangement, which, in his opinion, was most unjust, and he should feel himself disgraced if he were considered instrumental in depriving Monmouthshire of its third Member.

Sir *Edward Sugden* protested against the proposition of the noble Lord, as not only unjust towards Monmouthshire at large, but as contradictory to the recorded decision of the House. It would have been much better to have adopted the more consistent and equitable suggestion offered on a late occasion by a noble Lord (Stuart), and bestow upon Merthyr Tydvil the franchise which was comparatively thrown away upon Gateshead?

Mr. *Sinclair* had almost invariably voted with Ministers during the progress of the Bill, but found himself bound, in consistency, to vote against the present Motion. He had voted with them, first, for bestowing the franchise upon Gateshead in preference to Merthyr Tydvil; and, next, for bestowing three Members on the county of Monmouth; and, accordingly, felt that he should be voting in the teeth of these decisions did he then vote for taking away the additional county Representative from Monmouth, for the purpose of bestowing it upon Merthyr Tydvil.

Sir *James Scarlett* also felt himself bound by consistency to vote against the present Motion. He was surprised that the noble Lord should propose such a reversal of his own former proposition, and that, too, in a comparatively thin House, without notice or explanation.

The House divided: Ayes 191; Noes 146—Majority 45.

Remaining Amendments agreed to.

Lord *Althorp* proposed a clause, to the effect that the holders of land by burgage tenure in counties of cities, should be put upon the same footing with others whose rights were reserved in boroughs, and should be required to have six months' occupation before they were allowed to vote.

Clause read a first time. On the question that it be read a second time,

Colonel *Sibthorp* thought, there was some reason for the House to complain that clauses were introduced by the noble Lord without giving notice. No opportunity had been given to examine the proposed clause.

Lord *Althorp* assured the hon. and gallant Member, that he had adopted the usual course in moving an additional clause, on the bringing up of the Report.

The clause read a second and third time, and added to the Bill.

Lord *Althorp* proposed a clause in substitution of clause 33, on account of a verbal inaccuracy in the clause already in the Bill.

Agreed to.

Lord *Althorp* observed, that it was doubtful whether the Sheriffs of the counties in which the new boroughs were situated had the power to interfere in the election of Members for such boroughs, so as to appoint officers to preserve the peace during such election. Of course it would be advisable to give him such power; he, therefore, begged to propose a clause, giving the Sheriff the same power for that purpose in the new boroughs, as he now possessed in any of the old boroughs of his county.

Sir *Charles Burrell* wished the noble Lord would introduce some words into the clause to prevent Under-Sheriffs from exacting exorbitant fees from candidates at elections.

Mr. *C. W. Wynn* said, if such a practice as that the hon. Baronet alluded to existed, it was contrary to an Act of Parliament; and the Under-Sheriff who was guilty of it was liable to a penalty. There was no ground whatever for the exaction of fees by them under any circumstances.

Clause agreed to.

Lord *Newark* rose to move, that there be added to schedule A the fifteen least considerable places (according to houses and assessed taxes) out of the thirty which may have been placed by the Committee in schedule B; that clause 2 and schedule B be omitted; and that the fifteen remaining boroughs out of the thirty which may have been placed in schedule B be extended to the surrounding hundreds. That there be added to schedule C the nine most considerable places, according to houses and assessed taxes, out of the number now named in schedule D; that clause 4 and schedule D be omitted; and that the additional Member then required to make up the number of sixty-three (now in schedules C and D), be given to the West-Riding of Yorkshire. He should set out by saying, that whoever would look for a moment at the effect of these propositions, would see that they had not been framed with a view to strengthen any particular interest, either landed or commercial, at the expense of the other, but solely with a view to a more simple, and, as he thought, a more permanent adjustment of the future Representation of the country. No one had watched the progress of this Bill with a greater desire that it should come to a successful issue, and prove a safe and permanent settlement, than he had; and with this feeling he did not hesitate to confess, that he had seen with regret some features of the measure which seemed to him to be at variance with the security of the settlement, and to contradict the hope of that permanence which it was the object of the framers of the Bill to invest it with. It was for the sake of that permanence that he gave his vote the other evening for the enfranchisement of the metropolitan districts, because, he thought, no system, formed upon the exclusion of such districts, could stand; and it was equally for the sake of that permanence that he refused to give his vote for the creation of such schedules as those of B and D. They were schedules which, in his opinion, were blots upon the face of the Bill; they constituted in themselves a great experiment —a hazardous, and, he could not but think, an unnecessary experiment. They created fifty boroughs, in which the whole of the Representation would be monopolised and absorbed by the majority, to the entire exclusion of the minority; and while schedule B deprived them of an answer to those who asked upon what principle they professed to disfranchise, schedule D left them almost equally without an answer to the twenty-four places which might demand why they were not likewise to be enfranchised. He meant that, by the late returns, there were at least twenty-four places, of which he held in his hand a list, which it was not intended to enfranchise, higher, or at least equal, in population to some place or places in schedule D. But he did not rise for the purpose of entering at large into the merit of those schedules; the time, he feared, was past, when a resistance to their enactment could be of any avail within those walls. It would otherwise have been easy for him to show the House, that the amendments, which it was his object to introduce, would totally have removed the blemish by means the most simple, and the most consistent with the principle of the Bill; and that, without interfering with the question of the numbers—without weakening the amount of either enfranchisement or disfranchisement, but by simply following up the principle upon which the Government themselves had acted in the last changes which they had made in the Bill. What did they do? They had the numbers of the House to fill up; and how did they do it? By taking eleven places out of their own schedule B, and nine out of their own schedule D. But here lay the difficulty. His (Lord Newark's) propositions were not the Bill; and after that notable division upon the 10*l.* rate, he thought it clear, that there was a number of Gentlemen of whose support that circumstance alone would be enough to deprive them. They were in perfect accordance with the spirit of the Bill; and that, he feared, would be but a bad title to the support of Gentlemen opposite. There remained only those who might think with him that, when a great end was to be attained, it was desirable, as much as possible to simplify the means by which it was sought; that when a settlement of the Constitution was to be attempted, one main principle of that Constitution—that of double Representation, should not be departed from in fifty instances; and that the disappointment of certain places, to which it might have been proposed to give the franchise, should not have been allowed, in a work of such magnitude, to outweigh the paramount importance of establishing a barrier against a threatening host of further claims. That there were honourable Gentlemen who entertained these opinions with himself, and as sincere Reformers as any of those who cried loudest for the Bill, he knew from communications which he had had with them. That they were sufficiently numerous to give those propositions any reasonable chance of success, if pressed to a division, he did not pretend to say; and, with that impression, looking to the probability of such modifications being made elsewhere, and trusting that, if they should be so made, the House would then receive them in a spirit of calm consideration, and, if possible, of candid acceptance: he thought, under all the circumstances, he should adopt the course most agreeable to the wishes of the House, by not pressing this Motion to a division. Before he sat down, he wished to add one word. It appeared to him that the honest endeavours of abler heads than his, to improve this Bill, had been somewhat too hastily taken up by the public out of doors, as the crotchets of lukewarm Reformers, or of secret enemies to the Bill. He, at least, was no such secret enemy, but, wishing that so fair a tree might bear conciliatory fruits, he was anxious that, in planting that tree, we should prune it of all superfluous branches—of all that might engender decay, or threaten to convert it into an annual plant, which every lover of his country must wish to see flourish a perennial. It was with these views, then,—not to mutilate, but to invigorate the Bill—not to make the Bill ineffectual (for there was nothing in those propositions that would interfere with the amount either of enfranchisement, or of disfranchisement), but to make it permanent, that, if he thought he had any chance of success, he would most certainly press these Amendments to a division. But, for the reasons that he before stated, he was not disposed to do so.

Lord *John Russell* said, that the noble Lord proposed to carry the principle both of disfranchisement and enfranchisement further than the Government deemed it advisable. The present plan which they had adopted enabled them to act with less harshness towards those boroughs than if they had disfranchised them entirely. On the whole, he thought there was more of disadvantage than of benefit in the noble Lord's proposition, and he should, therefore, oppose it.

Sir *Richard Vyvyan* said, the noble Lord spoke of the Bill as being an annual plant; he feared it would turn out so, and would require annual renewal. There was not, in his opinion, one feature of permanence in it.

Motion negatived.

Mr. *Hodges* believed the proper time had arrived for him to bring forward the Motion of which he had given notice. His object was, to unite the town of Ramsgate to the borough of Sandwich. In bringing this Question forward, he was only discharging a duty he owed to a numerous and highly respectable body of his constituents—the inhabitants of Ramsgate—as well as gratifying himself in advocating a measure in the success of which they felt their interests deeply concerned. He did not think he could state their case in any manner so well, as by quoting a passage from their own well-drawn petition to this House on the subject, which he would, therefore, take the liberty of reading.

"The town of Ramsgate contains a population of 7,891 persons. The town, from its large and spacious harbour, and from its being much frequented as a watering place, is fast increasing in wealth and population; the said town is situate within the proscribed distance of seven miles from Sandwich, and is a member of, and under the immediate jurisdiction of, that ancient town and port, the Mayor of which annually appoints the High-Constable or deputy, and other subordinate officers in Ramsgate; and the Mayor and Jurats of Sandwich, at their sessions, take cognizance of all offences committed within the said town of Ramsgate, and the said town of Ramsgate is assessed and annually pays about two-thirds of the whole liberty-rate, the remaining one-third being paid by the three parishes of St. Clement's, St. Peter's, and St. Mary's, Sandwich, and the parishes of Walmer and Sarre."

He begged the House would particularly bear in mind the large proportion which Ramsgate contributed towards the municipal expenses of the town of Sandwich. It was evident, that the borough of Sandwich could not have retained its privilege of sending two Members to that House, unless a large addition was made to its constituency, and this could only be effected by an alliance with some neighbouring town. By the present Bill, Sandwich and Deal were to be deemed one borough, and return two Members; the town of Walmer, which was included in the rejected Bill, being omitted in the present one. It was to this arrangement that the inhabitants of Ramsgate objected, and, in his opinion, justly. He could not comprehend how the relations in which Ramsgate stood with reference to Sandwich, in ancient connexion, jurisdiction, and taxation, came to be overlooked. Unless he was greatly misinformed, the noble Lord, the member for Devonshire, expressed surprise when a deputation from Ramsgate waited upon him and explained the very large proportion of local taxation contributed by Ramsgate to the municipal expenses of Sandwich; and the deputation were led to entertain expectations of a more favourable result from that interview. He was persuaded the noble Lord would feel himself called upon to offer to the House his reasons why so powerful an appeal had been disregarded. It was not the wish of those he represented on this occasion, that any other place should be deprived of privileges proposed to be conferred upon them; but their earnest hope and desire was, to be permitted to share with Sandwich in the electoral privileges of that town, towards the expenses of which they were now by law compelled to bear so large a proportion. The principal points in this case were few; but, in his opinion, extremely strong; and he really did not feel that he could add to their force by extending his remarks upon them. He would only, therefore, intreat his Majesty's Ministers to give this representation their most favourable consideration, and sanction an act of justice to those, who, while they felt themselves entitled to receive the privilege they prayed for, would ever regard its concession as a boon which they would most gratefully acknowledge. He would conclude by moving, "That Ramsgate be united with Sandwich in sending two Members to Parliament."

Mr. Ryder seconded the Motion.

Lord *John Russell* said, that Government considered that they had already extended the constituency of the borough of Sandwich sufficiently, and he, therefore, regretted he could not accede to the Motion.

Mr. *Marryatt* thought it was wholly unnecessary that such an addition to the constituency of Sandwich should be made. Government had selected Deal to be added to the former constituency of the borough; the population of Deal was about 9,000. If another place was also to be added, with a population of 8,000, such a measure would overwhelm the population of an old and ancient sea-port, and would, therefore, be most unjust.

Mr. *Warre* said, the claims of Ramsgate to be added to Sandwich were greater than Deal, inasmuch as the former place was attached to Sandwich by local jurisdiction. Moreover, the proportion of charge which Ramsgate paid to the Sandwich liberty was 37,160*l.*, while the other five parishes, which were equally liable, only paid together the sum of 14,193*l.* If the hon. member for Kent pressed his Motion to a division, he should feel bound to vote in favour of it.

Mr. *Hodges* said, as he found he should not have the support of Ministers to his proposition, he had no hope of succeeding with it; he felt, therefore, it would give unnecessary trouble to divide the House.

Amendment negatived.

Mr. *Charles Stewart* moved the substitution of the following words for those in lines thirty-four to thirty-seven of clause 11:—"That no person nominated and appointed as returning officer for a borough, now sending, or hereafter to send, Members to Parliament, shall be appointed a Churchwarden or Overseer therein, during the time for which he shall be such returning officer."

Mr. Spring Rice seconded the Motion, which was agreed to.

Colonel *Sibthorp* complained that neither he nor the hon. member for Preston could understand what was going on.

The *Speaker* observed, that he could not assist the hon. Members; but they might, perhaps, arrive at a clearer knowledge of the subject, when the Bill with the Amendments should be printed.

Lord *Patrick Stuart* moved, that Merthyr Tydvil be inserted in schedule D.

Lord *Granville Somerset* said, he felt bound to support the Motion, although he could not consent that a Member should be taken from the county of Monmouth.

Mr. Alderman *Thompson* was of the same opinion. Though he should rejoice to see Merthyr Tydvil in possession of a Representative, yet he should be sorry to see that advantage conferred on it at the expense of the county of Monmouth.

Mr. *Sinclair* said, he must repeat that he had uniformly, hitherto, supported Ministers throughout all the discussions on this Bill; but he could not support them on the present occasion. He had, however, this consolation, that they deserted him, and not he them. He could not consent to be a party to undo one night what they had just done the night before.

Motion agreed to.

Colonel *Sibthorp* moved, that the further consideration of the Report be adjourned to the next day.

Lord *Althorp* objected to that Motion. The proposition of the hon member for Lincoln was the only Motion remaining, and he would, therefore, have a full opportunity of taking the sense of the House on it at a future stage of the Bill; and, as there was other business of importance fixed for to-morrow, he hoped that the hon. Member would not persevere in pressing his Motion.

Colonel *Sibthorp* said, he was resolved to take the sense of the House.

The House divided: Ayes 16; Noes 162—Majority 146.

Report finally received, and Bill ordered to be engrossed, and read a third time on the following Monday.

HOUSE OF LORDS,

Thursday, March 15, 1832.

MINUTES.] Bills. Read a third time; Mutiny; and Marine Mutiny.

Returns ordered. On the Motion of the Earl of WICKLOW, Copy of a Letter from Mr. STANLEY to the Duke of LEINSTER, on the formation of the New Board of Education for Ireland, with the Document accompanying it.

Petitions presented. By the Duke of ARGYLL, from the County of Argyll, against certain parts of the proposed measure of Reform for Scotland; and from the Parish of Dunoon, in favour of the same measure:—By the Bishop of BATH and WELLS, from Blackburn, Lancashire, and by the Earl of RADNOR, from Devonport, in favour of the Factories Bill:—By the Earl of RODEN, from the Corporation of Shoemakers; and the Corporation of Bricklayers; and the Guild of Merchants, Dublin, against the Irish Reform Bill:—By Viscount LORTON, against the New System of Education in Ireland; from the Archbishop and Clergy of Tuam, from the Archbishop and Clergy of Armagh, and from the Bishop and Clergy of the Diocese of Elphin:—By Lord KING, from the Roman Catholic Inhabitants of Drogheda, and by Lord CLONCURRY, from the Landholders and Tithe-payers of Harristown, for the Abolition of Tithes.

NEW SYSTEM OF EDUCATION (IRELAND.)] The Earl of Roden presented a Petition from the Protestant Nobility, Clergy, and Gentry, of a part of the County of Down, against the New System of Education in Ireland. He presented Petitions to the same effect from Stanmore and Clonmel.

Lord *Cloncurry* said, if he had been aware of the intention of the noble Lords to present petitions of this nature, he should have been enabled to present petitions in opposition to them sufficient to cover their Lordships' Table. The best portion of the Protestants were favourable to the system, whereas these petitions came only from a faction, and that they did not represent the opinions of more than half a million of people. The greatest neglect prevailed in Ireland for a considerable period on the subject of education. The Catholics, who composed the great body of the people, were altogether neglected, and had long been kept in ignorance, and thence arose the disturbances in Ireland, while Protestant schoolmasters were appointed in every district, though on an average there were not fifteen Protestants to each school. It was for a long period a capital offence for Roman Catholics to keep schools, and afterwards it was a misdemeanour. But the restrictions had been removed, and the best portion of the Protestant population were favourable to the instruction of the Catholics, and to a sincere friendship with them.

Viscount *Lorton* said, he was astonished at the noble Lord calling those persons, from whom he and other noble Lords presented petitions against the new system of education in Ireland a party or a faction.

The Earl of *Roden* could not suffer the noble Lord to call the nobility, clergy, and gentry, from whom he presented a petition, a faction. They were resident noblemen and gentlemen, who had the interest of their country at heart, and it was most unjust to call them a faction. The noble Lord was mistaken in other respects; and if he inquired into the fact, he would find, that two millions and a half of Protestants, and not half a million, were adverse to the new system of education.

Lord *Cloncurry* said, he did not mean to offend either of the noble Lords, or to cast any imputation on the respectable persons from whom they presented petitions. He was aware that many Protestant clergymen had done their duty, but he did not think the Kildare-street Society had been useful to the country, or that its schools had dispensed such an education as the people of Ireland desired to have.

HOUSE OF COMMONS,
Thursday, March 15, 1832.

MINUTES.] Bills brought in. By Mr. KENNEDY, to extend the Provisions of 1 and 2 Geo. 4th, to Facilitate the Public Business in the Ordnance Departments; Read a second time; Sugar Duties.

Returns ordered. On the Motion of Mr. HUME, of the Names and Salaries of the Clerks in the Post Office (Ireland), engaged in the Transmission of Newspapers, with the Correspondence of the Post Master General, relating thereto; of the Amount of Fees, Salaries, and Allowances of the Clerks and Officers of the House of Commons, for the years 1829, and 1831:—On the Motion of Sir WILLIAM RAE, of the Number of Writs, requiring Parties to appear as Defendants before the Court of Exchequer (Scotland), in each of the last ten years, respectively.

Petitions presented. By Mr. SPRING RICE, from the Owners of Real Property in Westgate, and of Magistrates and Grand Jury of the County of Northumberland, against the General Registry Bill:—By Mr. ROBERT GRANT, from the Ministers in the Presidency of Bombay, for Alterations in the Administration of the Hindoo and Mohammedan Laws of Property and Inheritance:—By Lord KILLEEN, from the Catholic Merchants and Traders of Rahoon, for a Provision to be made in the Irish Reform Bill for the peculiar Franchise of Galway; from the Inhabitants of Kilmesson, for an Increase of Representatives to Ireland; and to extend the Provisions of the Reform Bill for that Country equal to those of the English Bill; from the Inhabitants of Kiltayle and Trim, for the Abolition of Tithes; from the Catholic Tradesmen of the Guild of Stone Cutters, Smiths, and Butchers, Galway, for a modification of the Stamp Duties on the Admission of Freemen to Corporations:—By Mr. MORETON, from the Woollen Manufactories of Glasgow, against the Factories Regulation Bill.

IMPROVEMENTS OF THE CITY OF LONDON.] Mr. *Wilks* presented a Petition from certain inhabitants of the city of London, praying that the space now left open in front of the Monument might be preserved from any future building, and might be enclosed and planted in the manner of a square. The petitioners contended, that the health of the City required as many open spaces as could be spared, and that to preserve the area referred to would secure an advantageous approach to the New London Bridge; and the petitioners further prayed, that the London Bridge Bill might not pass without a clause for carrying into effect the object for which they prayed.

Mr. Alderman *Wood* observed, that the petitioners had had a full opportunity of appearing before the Committee, and proving the value of the improvement they suggested, and the amount which it would cost; he really thought that a good wide street would answer all reasonable purposes in that part of the Metropolis.

TITHES—IRELAND.] Mr. *Leader* presented fifteen Petitions from parishes in the county of Cork against Tithes, complaining of the amount of the sums charged upon them, and of the manner of collection, and praying for the abolishment of the tithe system. The petitions contained several statements, proving that many frauds were practised under the Tithe Composition Act. He was prepared to maintain, in common with the great proportion of the gentry and inhabitants of Ireland, that the time was come when the prayer of the petitioners must be complied with. The landed proprietors and landholders, for example, of the united parishes of Killbrew and Tryvett, in the county of Meath, in which, by-the-bye, there were but three Protestant landholders resident, and their signatures were affixed to the petition, stated, that the incumbent insisted upon obtaining a greater sum for tithe than was received by any of his predecessors; and they quoted this instance:—"One of the petitioners holds in the union 114 acres of land, on which, in 1828, he had thirty-three acres of titheable crops. In that year they were of very inconsiderable value, yet the rector demanded 36*l.* tithes, and peremptorily refused to take less: this sum the petitioner refused to pay, and having given notice, threw out the tithes in kind, which the rector took into his care, but declined removing the tithe, and left it to rot upon the land. He then filed a bill against the petitioner in the Court of Exchequer; the cause was tried on the 25th of June, 1830, and the bill was dismissed; but the petitioner had to pay his own costs, which amounted to 98*l.* 0*s.* 2*d.*, where the whole amount of tithe adjudged by the Court to be unwarrantably claimed was only 36*l.*" Another instance was this—"In the harvest of 1830, the rector demanded of one of the petitioners no less than 1*l.* per acre on the average of his crops of wheat, oats, and peas, and meadow land. In 1828, another of the petitioners endeavoured to arrange with the rector for his tithe, but was unable to do so on any fair terms, in consequence of which the tithe was thrown out in kind; and, although the rector was served with the accustomed notices, yet he suffered it to rot upon the ground, and filed a bill in the Exchequer Court, which, like the other, was also dismissed, but the petitioner was saddled with 100*l.* costs, where the whole value of the crop was under 40*l.* The petitioner had never since grown any titheable crop. The petitioners further stated, that, with the poorer farmers, the hardship was extreme—for they had to yield to exorbitant demands, rather than encounter the ruinous expenses of the law. In another instance a parishioner was charged for his tithe within 3*l.* of the amount of his rent, for a farm taken only eleven years ago. Another instance was set forth in the petition, where a sum of 75*l.* 2*s.* 3*d.* was demanded for tithe, although the property was viewed by three Protestants and one Roman Catholic, who found, that 38*l.* was above the just value of tithe. By these harassing and vexatious proceedings, a spirit of deeply rooted animosity had been generated. One petition to which he was anxious to call the attention of the House, was from the Protestant and Roman Catholic inhabitants of the parish of Timoleague, in the county of Cork. The petitioners stated, that they had been taken by surprise, and a fraudulent composition had been established, under the Act, of 370*l.* per annum. They appealed to the Privy Council, and were ordered to go by the average from the years 1814 to 1821, which were years of the highest agricultural prices, and by which the 370*l.* a-year was raised to 414*l.* per annum. The number of acres in Timoleague is 2,800: of these, 2,000 may be valued at 10*l.* per acre, and the remaining 800 at 1*l.* per acre. One farm paid 4*s.* per acre tithe, though the rent amounted to 12*s.* per acre only. To pay 414*l.* per annum, the first quality of land paid 9*s.* per acre; the second 6*s.* 10*d.*; the third 4*s.* 8*d.*; the fourth 3*s.* 4*d.*; and the fifth 2*s.* 10*d.* per acre. The petitions referred besides to the severity of making a Catholic population pay for the support of a religion which neither they nor their ancestors ever professed, and to the rigorous and severe laws by which this unjust impost was levied.

Mr. *Henry Grattan* most heartily supported the prayer of the petitions, he fully agreed with the petitioners that the Tithe Composition Act had failed of its intended purpose. It had given no relief, for, on the whole, the amount collected under it was rather more than would otherwise have been obtained by the clergy, he wished these petitions to be referred to the Committee now sitting on the subject of tithes, for he verily believed they contained nothing but facts.

Mr. *Shaw* said, that he had every reason to believe that the petitions contained great exaggerations, and he could not suffer them to be presented without thus briefly stating his opinions. He hoped, however, by and by to have an opportunity of stating them more fully.

Mr. *James E. Gordon* affirmed, that the particular allegations set forth in the petitions were utterly false, and without foundation.

Mr. *Speaker* said, if the petitions contained mis-statements they should not be presented to the House, and to assert that they did unless it were followed out, was not proper.

Mr. *Leader* assured the House that the statements in the petitions were founded on facts, and he had strictly examined into them before he had presented the petitions.

Petitions to be printed.

COMBINATIONS — IRELAND.] Colonel *Rochfort* had to present a Petition to the House, which he was sure deserved the serious attention of Government. The petition he had the honour to present was from the Lord Lieutenant and Magistrates of the county of Westmeath. It was signed by no less than fifty-one Magistrates, being all the Magistrates of the county except one, and he regretted to say, it gave a truly lamentable statement of the condition of that county. The petition was entitled to great respect; it had the signature of the noble Marquis, the Lord Lieutenant of the county, of three Peers, and of Magistrates, Catholics and Protestants, Reformers and Anti-Reformers, who were unanimous on this subject, that the state of the county called for the serious attention of his Majesty's Ministers and that House. The petition stated, that the dominion of the law was subverted, and the peace and security of society not only endangered, but actually overturned; that the law did not afford protection to the peaceably-inclined; that peaceable men must make their calculation, as the law now stood, whether they would wholly abandon their pursuits to save themselves from being murdered, or give an unwilling consent to receive the dictation of even daily and nightly marauders; that the certain penalty of death awaited any man who presumed to give information or testimony on trial against the insurgents, and certain destruction of property ensued to whoever ventured to act or speak in opposition to the dictates of secret and insurrectionary committees; that the increase of crime within the county, from the 31st of December to the 31st of January—st, was from sixty-two to 115 outrages, thirty-three against the person, forty-eight against property, and the rest of no ordinary kind. In the month of February there were twelve assaults on the person connected with Ribbonism; twenty-five offences against property, chiefly attacks on houses to obtain arms; and twenty-eight illegal notices against tithes; but there were no outrages arising from opposition to tithes, or any peculiar political cause, or from party spirit; but they seemed to spring from a total disorganization of society, arising from various combinations. The petition referred to the case of persons of the name of Delmere, who, it appeared, had rendered themselves most obnoxious to the insurgents from their brave defence of their property against an armed band that attacked their house by night, for which his Excellency the Lord Lieutenant rewarded them. They could not now stir out even in the broad day without an escort, from a well-grounded apprehension of being attacked and murdered. Also the case of Mr. Magan, a large landed proprietor of the county, who, in open day, on the 6th of February last, was stopped in his carriage with his agent, a respectable gentleman, by a gang of persons armed and disguised, in the highway, and directions given to him and his agent as to the future management of his estate. It further stated, that, on the 5th of January last, a bailiff employed by the Duke of Buckingham's law agent was obliged by a large mob to destroy the law process he had to serve, and with difficulty escaped with his life. The petitioners also referred to the case of Thomas Groalty, who was found in the county with money and a large quantity of placards and printed papers, headed "The confusion of Britain strengthens our Union," in his possession, swearing in and organizing the people, and yet, in consequence of the ineffective state of the law, could not be tried, and was, under the opinion of the Attorney General, discharged from custody. Also that, on the 27th of February last, a large party of insurgents attacked and fought with a small party of police doing duty at Ballymore, in the county. These were a few of the facts to which the petitioners referred; but he (Colonel Rochfort) thought he had stated enough to show the House the truly deplorable state of the county, and sufficient to satisfy the House and the Government that some measures should be immediately adopted by which those acts might be put down, and person and property rendered secure. The petitioners submitted those facts to the House; they prayed the House to take the matter into consideration; they prayed for laws to be enacted and put in force by the Executive to restrain insurgency, to preserve property uninjured, and to protect the lives of the King's subjects. As this petition would be in the hands of hon. Members, he would not dwell further on this subject, but move that the petition be brought up.

Mr. *Chapman* said, he must express his great surprise at the presentation of such a petition. He considered that a few instances of outrage ought not to be made a ground of stating, that Westmeath was in gross insubordination or contempt of the law. Nothing that had come within his knowledge could justify this proceeding on the part of the Magistrates. No doubt a bad feeling existed between the people and the police since the case of Castlepollard, but Westmeath had not joined in the combination. He believed, however, that certain local functionaries of Government had been wanting in their duty, and he trusted ere long to see them dismissed from their situations.

Mr. *Handcock* said, he had been present at the meeting of gentlemen from whom this petition had emanated, and he could declare it was the most respectable and unanimous one he had ever attended. He could not but be surprised to hear that the hon. Member (Mr. Chapman) differed in opinion with so unanimous a meeting of every Magistrate (with one exception) in the county, many of them his own relations and friends. He (Mr. Handcock) differed from the hon. Member with respect to the condition of Westmeath, which he knew to be in such a state of insubordination that the laws, as now constituted, were not strong enough to meet the evil. He had promised to support the prayer of the petition, and hoped the Government would adopt some measures to stop the progress of crime which, he was sorry to say was going on most rapidly, and had got to a great extent in that county.

Mr. *Stanley* was far from denying the unanimity which prevailed at the meeting of Mullingar, convened for the purpose of petitioning for the adoption of stronger enactments than those which now existed in Ireland; and, on that account, he felt the greater regret in stating, that his Majesty's Government did not feel themselves justified in acceding to the request which had been thus made. It was one of the most mischievous courses that could be pursued, for the Magistrates, upon every occasion where particular disturbances might exist, instead of looking to the general execution of the laws, and relying firmly upon the authority with which they were invested—to ask Government for the passing of a measure so strong and harsh as that which was meant to be suggested, in this petition, the renewal of the Insurrection Act. If, indeed, any such measure was to be the chief instrument in putting down disturbances, the mischief attendant upon its adoption would be greater than the evil which it was intended to remedy. The disturbance, it was said, must be put down; but in such a case as this, it was put down at the expense of a great constitutional principle—at the expense of engendering a bad feeling between the Magistrates and the people. It was put down at the expense of encouraging the Magistrates and the people to look upon the ordinary course of the law as inefficient for the purposes for which it was framed. When Ministers were called upon to proclaim the Insurrection Act, the reason given was, that the gentry and occupiers of land were paralysed, and compelled to remain neutral. Upon that ground alone the adoption of harsh measures ought not to be thought of; and, in his opinion, their applications were made with the view of taking from the parties making them the responsibility which ought to attach to them in their magisterial capacity: therefore, he must repeat, that this was not a course which he was disposed to recommend towards the people of Ireland. On a former occasion on which application was made to the Government to proclaim the Insurrection Act, the demand was resisted, and what was the consequence of that refusal? When the Magistrates and gentry of the county of Clare found that they could not look to the adoption of additional severe laws, and to the being invested with extraordinary powers, they applied themselves vigilantly to the discharge of their duties, and suppressed the disturbances which had induced them to apply for the proclamation of the Insurrection Act. They pointed out the specific baronies in which disturbances had taken place; and, in consequence of this, an additional military force and additional means were furnished at the expense of that part of the county. In that case the remedies applied succeeded, and, indeed, the existing remedies would succeed in all similar cases, were it not held out that the authority of the law was inefficient. It was true that, in the county of Westmeath, as the petition stated, there was an increase of crime within the month previous to the period to which it referred; but in the month before there had been a decrease of crime. He did not, however, mean to say that, on the whole, there had not been an increase of crime; but the cases pointed out in this petition were the most extraordinary that he had ever heard of; and there were only four of these, after all, to justify this extraordinary application to the Legislature, to adopt a still more extraordinary measure. Of these four cases, then, one was that in which two men successfully defended themselves and their property from a body of men, whom he could only designate midnight plunderers. And what was the ground upon which this case was cited? Because these parties were apprehensive that they might be attacked and murdered; and, therefore, the petition called upon his Majesty's Ministers to proclaim the Insurrection Act. The petitioners then gave another instance, in which an individual, named Thomas Groalty, was found in the county with money and a large quantity of placards and printed papers, headed — "The confusion of Britain strengthens our Union." He was obliged to be released, as it appeared, because it was the opinion of the Attorney General that there was not evidence sufficient to convict him of an offence against the existing law. Was it to be said, then, that the law was to be made more severe in Westmeath than in any other part of the kingdom? Then, with respect to the case of the process-servers of the Duke of Buckingham: two, out of the three parties charged, were convicted at the last Mullingar Assizes, and were now paying the penalty of their offence. The fourth instance brought forward was that of the assault perpetrated, in open day, on a respectable gentleman of the county, in a barony admitted to be in a state of disturbance. But what had the Magistrates done in that barony to restore peace in it? Had they put it in a state of proclamation? Had they asked for additional stipendiary Magistrates, or had they taken any of the other steps which they had it in their power to take, and which they ought to have taken, before calling upon the Government for extraordinary powers. As they had not so done, whatever might be his respect for the number and nature of the signatures attached to the petition, he could not recommend to the House the adoption of an Insurrection Act to put down these local disturbances.

Mr. *Henry Grattan* stated, that he had received letters, in contradiction to the statement of the hon. Member who had presented the petition (Colonel Rochfort). The petition had come from what was commonly called "a hole-and-corner meeting," and it had originated with a noble Lord who was very unpopular. It could by no means justify the Government in inflicting the Insurrection Act upon the people for a few instances of local outrage.

Mr. *O'Ferrell* approved of the course adopted by his Majesty's Government on this occasion. If the people of Westmeath were dissatisfied, their dissatisfaction had, in a great degree, arisen from their being ill-treated by the gentry of that county.

Colonel *Conolly* expressed his astonishment at the few observations made by the hon. Member (Mr. Chapman). Fifty-one Magistrates had signed this petition, and such a petition was, at least, as much entitled to consideration, as the mere opinion of that hon. Member, who had set up his authority against the Magistrates of Westmeath.

Mr. *Blackney* attributed a great portion of the disquiet in Westmeath to the misconduct of the police and the distribution of religious tracts.

Mr. *Shaw* wished to know if in no case was the Insurrection Act to be applied in Ireland? He alluded particularly to the present state of Kilkenny, where the law was openly violated? As to the case of Westmeath, he thought the written declaration of fifty-one Magistrates ought to command the attention of his Majesty's Government.

Mr. *Stanley* said, he applied his observations to the case of Westmeath; but generally he would say that, until every other measure failed he would not resort to the Insurrection Act.

Colonel *Rochfort*, in moving that the petition be printed, could not avoid saying, in answer to the statement made by the right hon. Secretary for Ireland, that he made no attack on his Majesty's Government. The right hon. Gentleman had attacked the Magistrates of the county; but there were not in Ireland more active Magistrates than in Westmeath; and, if the right hon. the member for Tamworth was then in the House, he would bear him out in that opinion. He (Colonel Rochfort) heard much of governments *de jure* and *de facto*; but there was no Government *de facto* in Ireland—the laws were not obeyed—and, when too late to remedy the evil, then the Government would apply for measures now called for; but prevention could alone effect any benefit for the country. Had the right hon. Gentleman read the charge of Baron Smith at the late Assizes, who considered that a small calendar and empty dock was no proof of the peace of the county? The outrages were numerous, but people were afraid to prosecute. With respect to his hon. colleague, he had been so well answered by the hon. member for Donegal that he would leave it to the hon. Gentleman to reconcile the contradiction between himself and the Magistrates of the county. The hon. member for Kildare had favoured the House with a story of a dead cow; but he (Colonel Rochfort) did not think that the whole gentry of the county should be judged by the act of his friend.

Petition to be printed.

AFFRAY AT MANCHESTER.] Mr. *Hunt* said, he had to present Petitions from Paisley, Huddersfield, Halifax, Hull, and other places, praying for an inquiry into the circumstances connected with the massacre of persons peaceably assembled at Manchester to petition Parliament, in August 1819. These petitions were connected with the question of which he had given notice, and was now about to submit to the House, and he trusted to receive the attention of Members to the facts and statements which he proposed to bring under their consideration. Certainly the grossest misrepresentations had been made in Parliament respecting the occurrences at Manchester, in 1819; and he felt that it was a matter deeply to be regretted, that there was not in the House of Commons, at the time, some person who had witnessed the transaction, and who could then have put the House in possession of the real facts. There was a hope, however, that the present Government would grant the inquiry for which he was about to apply, in conformity with the prayer of the petitions which he had just presented, and with the desire of his constituents. Should an inquiry be granted, he pledged himself to substantiate the allegations they contained. He lamented that, in this matter, he should feel it necessary to trouble the House with much that related personally to himself. It must be recollected, that in the years 1817, 1818, and 1819, much distress prevailed, that riots had taken place, and a good deal of machinery had been destroyed, by persons calling themselves Luddites. In the metropolis, there was considerable excitement, and meetings took place, at one of which, held in Spa-fields, he had presided. It was there submitted to the people, that the best means of obtaining relief was, to petition for a Reform in the Commons House of Parliament. A petition to that effect was accordingly drawn up, and an address was also agreed upon, to be presented to the Prince Regent, representing to him the distress which prevailed in Spital-fields. No political result was the consequence of the petition, but the Regent transmitted 4,000*l.* in aid of the funds collected for the relief of the silk weavers. Other meetings were afterwards held in various parts of the country, and Resolutions were passed, declaring that a radical Reform of Parliament was necessary, and that the Corn-laws ought to be repealed. One of these meetings held at Birmingham, had elected Sir Charles Wolseley Legislatorial Attorney, and had directed him to come down to that House and claim his seat on their behalf. On account of this meeting, Sir Charles Wolseley was prosecuted, convicted, and imprisoned; all these occurrences took place previous to the meeting advertised to be held at Manchester on the 9th of August, 1819. The advertisement by which the meeting was summoned stated, that its objects were to petition for a Reform of Parliament, and to elect a Legislatorial Attorney. He (Mr. Hunt) was invited to attend, and accepted the invitation, but with the proviso, that he would take no part in electing a Legislatorial Attorney. As soon, however, as the advertisement became public, the Magistrates of Manchester issued hand-bills warning the people not to attend the meeting, for that its objects were illegal. That meeting in consequence fell to the ground; a requisition was then drawn up, calling upon the authorities to convene a meeting to consider the propriety of petitioning for a Reform of Parliament and the repeal of the Corn Laws, which they declined to do; and the requisitionists therefore determined to call one themselves. Out of this meeting grew the consequences which it was the object of his Motion to have investigated. In compliance with his former promise, he was induced to agree to attend this meeting, although with great reluctance on his part, as he apprehended that some pretence would be sought for on the part of the Magistrates to create disturbances, and in this he was correct, for the delay of a week which intervened between the two meetings, allowed spies to be sent through the country, by whose agency the people's passions were excited. He had received some intimation of the proceedings of those persons employed as spies, the most notorious of whom was well-known by the name of Oliver, and he determined, in consequence, to be very wary and prudent in all he said and did, that no imputations should lie against him, particularly as he had heard that those spies were recommending the people to go armed to the meeting. In pursuance of the line of conduct he had chalked out for himself, he addressed a public letter to the people, cautioning them to give no ground for complaint on that head, particularly as the meeting was expected to be a large one, but to take every opportunity of showing they had no unlawful intentions. This letter, he was happy to say, had the desired effect; but, a day or two before the meeting, he had received information that it was the intention of the Magistrates to arrest the chairman of the meeting. As he was the person named for that office, he immediately, on receiving this intelligence, proceeded to the meeting of Magistrates, and offered to give himself up if there was charge against him, but he was assured there was none, nor was there any intention to interfere with the meeting. He had detailed, then, circumstances to show the exact manner in which the meeting was assembled on the 16th of August, in St. Petersfield, an area of about five acres. The meeting was undoubtedly a large one, probably there were upwards of 100,000 persons collected, all of whom he could affirm were peaceably disposed. It was a fine sight—there were many flags and banners, and a great many females were present—the people were allowed to assemble without interruption, no warning was given that they were about to act illegally; the proceedings, however, had but just commenced, when, without the least previous notice, the Manchester Yeomanry were let loose upon the assembled multitude; with sabres newly-sharpened for the occasion, they galloped over the people, cutting down all within their reach. No resistance was offered or intended. They made their way to the hustings, where their Captain, Mr. Birley, claimed him (Mr. Hunt) as his prisoner. He objected to being arrested by a military officer, when the Constable of Manchester came forward, to whom he immediately yielded, still the Yeomanry continued their execution upon the unresisting people, hundreds of whom were wounded, thrown down, trampled upon, or otherwise injured. The groans of the wounded, the horrid shrieks of the women, and the despair of the maddened wretches thus ferociously assaulted, formed the most dreadful scene that could be imagined. He did understand, however, that, when the people found they could not escape, they resisted, in some few instances, by throwing stones. To give the House one instance of the conduct of the Yeomanry, he must state, that a portion of the crowd, consisting of about thirty or forty persons, men, women, and children, having fled for refuge into a court, from which there was but one egress, two Yeomen stationed themselves at that point, and compelled the poor people to come out, the one holding in his hand a pistol, with which he threatened to blow their brains out if they did not obey, and the other with his drawn sword, cutting at every one of them as they passed out. There were fourteen persons killed on that day, and 424 wounded, of whom 108 were females. It was true, that it might be said, that some of these did not suffer from the sabres of the Yeomanry, but a very large proportion, he would take on himself to say, were wounded in that manner; and, at all events, it was quite certain that no accident whatever would have occurred, but for the outrageous attack that had been made on the peaceable multitude. In the mean-time he was carried off by two constables, one of whom left home suddenly, and the other was also about to depart, when he (Mr. Hunt) observed two Yeomen making a charge upon him. He had little doubt that this was a concerted scheme, that it was intended that the constables were to leave him to the mercy of the Yeomanry, but, seeing their intention, he seized hold of the constable that was left, and used him for a shield to defend himself from the hands of the furious soldiers. He did not escape, however, without some slight wounds; even in passing to the Magistrate's room, he narrowly escaped being very severely wounded by a bludgeon. Having suffered so much personally, and having witnessed the dreadful injuries others sustained, he allowed he had very strong feelings on the subject. He was satisfied, and believed that he could prove, in opposition to the assertions of interested parties, that the Yeomanry had predetermined on slaughtering the people. It had been stated, that the swords of the Yeomanry were not sharpened for the occasion, but the wounds they had inflicted on defenceless men and women, proved that the statement was not true. One man—an inhabitant of Stockport—had a piece of his skull cut away by a sabre, and here, (added the hon. Member, displaying on the palm of his hand a fragment of bone about the size of half-a-crown), here was the piece itself to satisfy hon. Members of the fact. Many had been killed, many wounded, and yet what had been the result; No legal inquiry had been instituted against the offenders, but an inquiry had been instituted against himself, who had experienced ill-usage, in common with others, among the peaceable assembly. Neither names nor witnesses were wanting to make out a case. It could be proved, that the Yeomanry had assailed and wounded helpless females. It could be proved, that one female had been overturned, and her face being down a hill, part of her person was exposed. Some persons looking from a window called to a Yeoman to render her that assistance which any one, with a sense of decency, would naturally hasten to render on an occasion of the kind. Now, what did this gallant Yeoman do? Would the House believe it? Would Englishmen credit it? This brave, this loyal, soldier, rode up to the prostrate woman and cut her across the thighs with his sabre! He would venture to say, that neither in foreign nor domestic wars, had English soldiers committed acts so disgraceful as those which were perpetrated by the Yeomanry at Peterloo. He would ask any man of humanity in that House, whether such disgraceful acts ought to be passed by unnoticed and unpunished, merely because it could be said, that twelve years had elapsed since the transaction had taken place? But another excuse that, perhaps, might be made was, that the meeting was an illegal one. In answer to that, however, he would take on himself to say, that in his opinion, and in the opinion of those who constituted the meeting, they were as legally, aye, and as meritoriously assembled, as that House was assembled; and for as useful a purpose. No one was insulted—no tumult took place—no symptoms of riot were evinced; and yet was it for a moment to be said, that in such a country as this, where there was a continual boast of the omnipotence of justice, such things were to be passed over without notice and without censure? He could assure the House, that, if this inquiry was not granted, there would be thousands of hearts rankling, dissatisfied, and discontented, and which could never be set at ease till justice was awarded. The petitioners, in whose name he was speaking, had read the able manner in which the noble Lord and many of his colleagues had, at the time, commented on the atrocity of the transaction, and demanded that an inquiry should take place. And how was that inquiry then resisted? First, by the production of Official Documents, emanating from the guilty party themselves; and next, by allusion to the trial at York; and the cry, that the Courts of Justice were open to those who had any complaint to make. But the Courts of Justice were not open; for the relations of those that were killed had gone to those Courts of Justice, and even there all retribution had been denied them in the most cruel and indifferent manner. Nor was this all. All sorts of calumnious statements were made in the House of Commons as to the conduct of the mob; it was asserted, that they had marched into Manchester armed with sticks and clubs; and one gentleman, of the name of Hulton, who, very lately, had again shown a disposition to make himself conspicuous on this very question, was called upon to prove this by being placed in the witness-box, where he underwent a seven hours' examination, three in chief, and four in cross-examination. Mr. Hulton, on that occasion, had thought proper to swear that the people carried sticks as big as muskets —he (Mr. Hunt) believed that he did not go the length of swearing that the people fired them off like muskets. This was a part of the evidence adduced before the Jury at York—a Jury, in the first instance packed by the Crown, and subsequently patronized by the Whig Club. He saw that the hon. member for York shook his head when he mentioned the

Whigs, but he begged leave to say, that he had always considered that Jury as a Whig Jury, because he certainly did think that it emanated from the Whig Club at York; for which reason he had always been of opinion, that his conviction was a Whig conviction. The general presumption was, that it was the intention of the Manchester meeting, had it not been interrupted, to pass Resolutions similar to those passed at Smithfield, declaratory that without a Reform in Parliament, taxes ought not to be paid; and he believed, that that presumption was the main reason why he had been found guilty. But now, what an alteration had taken place! It was only the other day, that 150,000 persons had met at Birmingham, and actually made a declaration to the same effect; and yet they were not cut down—the Yeomanry had not been called out to act against them. No; the Government had properly treated the exuberance of feeling that had produced such a declaration with contempt; and nothing further had come of it. The hon. Member confirmed his own statements by reading some extracts from publications of the day, and then repeated his declaration, that the meeting was a most innocent one, called for a most useful purpose. His motion, he continued, for a Select Committee of Inquiry had, in a manner, become absolutely necessary; for, when he had moved for the correspondence that had taken place between Lord Sidmouth (then the Secretary of State) and the Lord Lieutenant of the county, that correspondence had been refused, and, therefore, he had no other course to pursue than to ask for a Committee for a general inquiry into the whole question. Some part of Lord Sidmouth's correspondence, however, was before the public; for he had in his hand that letter of his Lordship's in which he, in the name of the Prince Regent, thanked the magistracy for the way in which they had acted—yes, actually thanked them for having directed the execution of these cold-blooded murders—by which name he must call those deeds, and by which name they would be for ever designated in that part of the country where they had been committed. The consequence of this letter was, that the parties, so far from shrinking abashed as they ought, actually gloried in the share they had taken in the transaction; and, in particular, he might mention that an Irishman of the name of Meagher, who was the trumpeter on that occasion, had boasted, when he returned to Ireland, that he had in one day spilled more Saxon blood than had ever been spilled by any one of his countrymen before. Why was such a ruffian, after such a boast, suffered to roam at large unpunished? The blood which he and his valiant confederates spilled on that occasion like water, was the blood of peaceable and unarmed men; for where was the proof that any of the multitude present on the 16th of August was either guilty of violence, or armed with any offensive weapon. The real truth of the matter was, in spite of the false colouring that interested parties had endeavoured to put on it, that the meeting at Manchester was neither more nor less than a Reform meeting—that everything was going on peaceably—that not even so much as a pane of glass was broken, and though the Government took the trouble to send Messrs. Oliver and Castles among the people to corrupt them, they were not able to succeed in their virtuous endeavours. He maintained that there was no proof that the people had come armed to the meeting. All the evidence which the Magistrates had to offer upon that point had been gone into at York, and had failed so signally, that even the Judge upon the Bench said, that no doubt could exist respecting the peaceable demeanour of the people. He had now no personal feelings to indulge upon this question—twelve years had elapsed since these atrocities were committed, and in twelve years events had occurred, which, though they did not prevent him from still demanding justice, had completely eradicated the desire for revenge. Revenge on the authors and abettors of the outrages of that day he had already had enough. He had lived to see the noble Paymaster of the Forces bring a Bill into Parliament, which, though it might not give to the people the relief which he wished them to obtain, still admitted that all the allegations which he had at that time made were correct, namely, that the House of Commons did not represent the people, but only a corrupt portion of placeholders and boroughmongers. He repeated that, if he had been vindictive, he had already witnessed enough of the discomfiture of his adversaries to sate even the keenest appetite of revenge. Who was the Prime Minister of that day?—Lord Liverpool. Where was he? Who were the two Secretaries of State?—Mr. Canning and Lord Castlereagh. Where were they? Mr. Canning had fallen a victim to the factious attacks of the very party which at that time he supported with all the power of his versatile talents; and, on the morning of the anniversary of the 16th of August, two years afterwards, the first thing that greeted his eyes in his cell at Ilchester on reading the papers, was the intelligence that Lord Castlereagh had committed suicide. King George the 4th—he who had thanked the Magistrates with such breathless haste—where now was he? Where, too, were the yeomanry? Two of them had committed suicide on the anniversary of the day on which they had been guilty of these cold-blooded murders. Thus, though the House of Commons had refused to do justice between the people and their oppressors on this melancholy occasion, the hand of Providence had already inflicted justice, where justice was due. Old as he was, he yet trusted to live to see the day in which that titled personage would be brought to justice, who had sent a Castles, an Edwards, and an Oliver, into the country to instigate the people to acts of violence, in order to throw discredit upon Reform. He had lived to see the Members of that Government, which had gone to war with France to stifle the call for Reform, compelled to sit night after night in weak and ineffectual struggles against the progress of a measure which in itself was nothing but the commencement of Reform. He might even now say, "the Lord's will be done: I have lived long enough, for I have lived to see the boroughmongers brought upon their knees before the people whom they have so long insulted;"—but he trusted to live still longer, and if he did live a few years more, he should live to see justice inflicted on all who committed and abetted the massacre at Manchester. In vain had that arrogant and insolent party sent Reformer after Reformer to prison—in vain had they gagged the Press by acts as alien to the practice as they were novel to the theory of the British Constitution—in vain had they passed Bills to prevent public meetings, and to put down the right of petitioning; for, in spite of the menaces of the law, and the terrors of the dungeon, the cause of Reform had proved a giant too powerful for them to cope with. Traces of their defeat were visible in all parts of the country. If the people did not now display that mad feeling for Reform which they had displayed some months ago, it must not be supposed that they were, on that account, indifferent either to its progress or its success. They were now silent and sullen, and suffering; but if they had not a Reform—aye, and a better Reform than that which the noble Lord was now offering to them, England would ere long be one of the worst places for any lover of peace and comfort to live in. He must now express his hopes that Ministers would not oppose this inquiry. He hoped that they would grant the prayer of the petition which he had that night presented. If they refused it, he should feel it to be his duty, if he had a seat in the reformed Parliament, to bring this question annually before it, until he obtained the Committee of Inquiry for which he was now going to move. His motion was, "that a Select Committee be appointed to inquire into the military execution inflicted on a peaceable and unarmed multitude assembled at Manchester on the 16th of August, 1819, to petition for Parliamentary Reform." On this question he stood by himself; he had not communicated his resolution to any Member, and he did not know whether any Member would second it. He, therefore called upon the noble Lord, the Chancellor of the Exchequer, to second his motion. That noble Lord had distinguished himself at the time by the zeal with which he demanded inquiry. If inquiry were necessary in 1819, it was not less necessary now: for if he understood any thing of the laws of England, no lapse of years could extinguish the crime of murder. He charged the parties in this case with the commission of deliberate and cold-blooded murder. It was nothing less, and he would not employ a milder term to convey his opinion of the crime which was then committed. The hon. Member concluded by formally moving his Resolution.

Mr. *Hume*, in rising to second the Motion of the hon. member for Preston, begged leave to say, that, although he could have wished that the question had been brought forward at a time when the House was less occupied with other important business, he never should be unwilling to second a motion which was neither more nor less than a demand for justice on behalf of the people. The hon. member for Preston had stated at considerable length the details of that horrid day; and he (Mr. Hume) could well recollect the feelings that those same circumstances had at the time excited in the House of Commons, as well as the part which the noble Lord and several of his friends had taken on that occasion. In remembering that, he felt quite sure that the present opinion of his noble friend could not be different from what it then was; and, therefore, the only question with the Government could be, how far prudence and policy would allow the fresh agitation of that distressing question. He, however, had always been accustomed to consider that time could never outrun crime, and that no lapse of years could render the murderer not liable to trial, and (if found guilty) to punishment. Indeed, he, in his own time, had witnessed cases of individuals who, after the expiration of many years, had had their crimes detected, and who for those crimes had been tried and executed. This being the case, he knew no reason why the deeds of a day like that of the 16th of August, 1819, should be passed over unnoticed. The lapse that had already taken place had always been looked on by him as a blot in the history of the country, and, therefore, he felt anxious that further time should not be allowed to pass by without steps being taken that should, as far as possible, erase that stain. He was convinced that every man of common sense would laugh to scorn the empty pretence that the lapse of time rendered it inexpedient to inquire into the circumstances which led to the violent and sanguinary dispersion of a meeting of Englishmen assembled to exercise their inherent and indisputable right—the right to petition; for he had yet to learn, that in England there was a statute of limitations, which, after a certain number of years, released a culprit from the penalties attached to any crime which he might have committed, and especially from the penalties attached to the crime of murder. He did not pretend to say, that all the long detail of atrocities into which the hon. member for Preston had entered was correct; but this he would say, that if one-tenth part of it only were true, there were sufficient grounds, and far more than sufficient grounds, stated for inquiry. If the parties against whom the hon. member for Preston had launched his accusations were authorized in acting as they had done, let that circumstance be proved to the satisfaction of the country, and let the execution of its justice be vindicated to posterity. The hon. member for Preston had been put upon his trial, and had been punished for his share in these transactions; but did it follow that, because the hon. member for Preston had acted illegally in calling the Manchester meeting together, the Magistrates had acted legally in dispersing it with the edge of the sword? The hon. member for Preston and his party had been upon their trial. Why should not the Magistrates, the yeomanry, and all who abetted their proceedings, also be put upon theirs? He knew, that the Government of that day had sent spies into the country, who incited the people to acts of insubordination. He had himself been one of those who had seen Oliver inciting the people to acts of disturbance, and had actually assisted in carrying him in custody to the Home-office; but what became of the charge which they preferred against this individual? Nothing: the country heard no more of Mr. Oliver till they found him acting as a pensioned officer of the Government in a foreign colony. When such things were notorious, it was absolutely necessary to inquire into the circumstances under which this meeting was dispersed. He, therefore, implored the House to concede the Committee of Inquiry for which the hon. member for Preston had just moved. He had never heard but one expression, and that was an expression of regret, respecting the conduct of Government in refusing to inquire into the transactions of that memorable day. Every man who recollected the Oldham inquest, and the repeated efforts which were made by influential persons to arrest its progress, and which were at last unfortunately successful, must be aware that, on that occasion at least, justice was violated. He must, therefore, once more implore the House to allow the inquiry to be resumed which was then interrupted. Such a resumption would read a useful lesson to men in authority, from the Minister in the Cabinet down even to the Magistrates on the Bench. It would remind the Minister of State, in language which he would not soon forget, that if, in the exercise of his high functions, he were guilty of tyranny, the day would come when he might be stripped of his authority, and placed at the Bar of that House to give an account of the mode in which he had exercised it. Without, therefore, saying a word in aggravation of the atrocities of that day, which at the time excited general horror and indignation, he would content himself with declaring it to be his opinion, that it was no less the duty of the present Government than that of the House to agree to this inquiry, with a view of satisfying the thousands and tens of thousands of men in the north of England, who, at least, were complaining that hitherto justice had not been done. If justice was not shown to the people on this occasion, he trusted that, in a reformed Parliament, the attempt to obtain it would be renewed over and over again until it was successful. He called upon the Members of the present Cabinet to consider the situation in which they were placed before the country upon this occasion. The zeal which they displayed, whilst Members of the Opposition, in calling for inquiry, obtained for them the admiration of their country: let them, therefore, now that they were in office, shew that it was their determination not to screen iniquity and oppression, no matter what the quarter from which that iniquity and that oppression might proceed.

Mr. *Lamb* said, the concluding part of the speech of the hon. member for Preston sufficiently proved the inexpediency of bringing forward the present Motion. If so many of those distinguished personages, who, at the time of this transaction, took a leading part in applauding and abetting the actors in it, were now gone beyond the reach of earthly justice, was it not possible that the same fate had befallen those who had taken a minor part in it? Would it not, therefore, have been a wiser and a better course to have preached to the people the Christian doctrine of forgiveness of injuries, instead of exciting them to renew their call for vengeance and for blood? He agreed with his hon. friend, the member for Middlesex, that the day for bringing crime to its account was in this country never past. The Courts of Justice were open now, as they were at the time, to all who felt themselves aggrieved by the events of the 16th of August; and he was of opinion that any investigation into those events would be conducted more satisfactorily in those Courts than it would be before a Select Committee of that House. In rising, therefore, to resist this Motion —which he felt to be his duty now, though, at the time of this melancholy transaction, he had contributed his humble exertions to get a fair and full inquiry into it—he did not feel that he was guilty of inconsistency when he rested his opposition to it on the ground that such inquiry was now inexpedient. He did not mean to enter at all into the details of the melancholy events of the 16th of August; but he must express his regret that the hon. member for Preston had spoken of them as deliberate and cold-blooded murders. Surely those were not the terms which ought to be employed by a man who sought for a just and impartial inquiry. He put it to the House, whether, if it were inclined to grant an inquiry, it could grant an inquiry in the terms of this Motion—"That a Select Committee be appointed to inquire into the military execution inflicted on an unarmed and peaceable meeting, assembled on the 16th of August, 1819, at Manchester." Did not the terms of this Resolution prejudge the whole question into which the investigation was to be instituted? If the House agreed to such a Motion, what would it have to inquire into? If military execution were inflicted on an unarmed and peaceable meeting, all that they would have to do would be to summon the guilty parties to their Bar, and to pronounce sentence upon them forthwith. But the hon. member for Preston was not content with affirming the whole matter into which he wished them to inquire—he must also contradict the verdicts of two Juries upon this transaction — one at York, which affirmed the unlawfulness of the assembly; and the other at Lancaster, which affirmed its tumultuous and offensive character. In the case of "Redford v. Birley," which was tried before Mr. Justice Holroyd at Lancaster, all the evidence respecting the conduct of the yeomanry, which was inadmissible at York, was admitted and gone into, and the result was, an unanimous verdict in favour of the yeomanry. He had never ceased to regret that a full and fair inquiry was not made by Parliament into this transaction at the time, and he regretted it the more now, because, if such an inquiry had been made, it would have taken away from the hon. member for Preston the necessity of bringing forward an annual motion respecting it, which could have no other tendency than to rip up old grievances, and to revive animosities, which he had trusted would ere now be put to sleep by the soothing hand of time. He admitted that the hon. member for Preston had done nothing more than what he considered his duty in bringing this Motion forward, but still he must regret the time which he had selected for proposing it. He must, therefore, resist the Motion, because in terms it prejudged the case—because it contradicted the verdicts of two different juries—because it was inexpedient at the present moment—because the Courts were still opened to the aggrieved, and because the Grand Juries of the present day would not be liable to the feelings which, perhaps, influenced the Grand Juries of those days. Under these circumstances, as the relations of the parties injured had so many sources of redress still open to them, he thought that the House of Commons ought not to be called upon to waste time which might be better employed on such an inquiry as was called for by this Motion. He should, therefore, move, as an amendment, the previous question.

Lord *Milton* thought it was unnecessary for his hon. friend (Mr. Lamb) to vindicate himself from the charge of inconsistency. The length of time which had elapsed fully exonerated him from such a charge. There might be a change of opinion, but there was no inconsistency. He regretted that the Motion was now made, and if the parties who had intrusted their petition to the care of the hon. member for Preston had consulted him respecting the propriety of presenting it, the advice which he should have given them would be, not to press it on the notice of the House at this time. He could wish the whole of this melancholy transaction, if possible, to be forgotten; for if there was any feeling more than another which contributed to the happiness of mankind, it was the forgiveness of injuries. Considering the lapse of time since this transaction, he could not help lamenting that this Motion had been made. Still, as it had been made by the hon. member for Preston, under circumstances which almost rendered it impossible for him to avoid it, he felt it to be his duty, as a Member of Parliament, to give his vote in support of it.

Sir *John Byng* said, that he was not actually present when the affray which formed the subject of the Motion took place, but he was on the spot within two hours after its occurrence. He being then in command of his Majesty's troops stationed in that district, he, of course, had deemed it his duty to inquire into their conduct on the occasion, and, as he was not what could be considered an interested person, he trusted the House would give at least as much credence to his testimony as to that of the hon. member for Middlesex, whose information could only have been derived from, in all probability, interested persons. That hon. Member had been pleased to charge the military employed by the Magistrates on that occasion with the crime of murder. To say the least of it, that was a harsh term to apply to the conduct of individuals who were compelled to perform a most unpleasant duty. But he had no hesitation in saying its application, in that instance, by the hon. Member, was most ungenerous and most unjust. If the inquiry which was proposed was to be confined to the conduct of his Majesty's troops at Manchester on the 16th of August, 1819, so far from opposing it, he would be one of its most anxious supporters. But, as the Motion took a more extended compass, as it would have the effect of raking up circumstances which, for the peace of the country, ought for ever to be buried in oblivion, he could not find it consistent with his duty to support it. He had ever desired that a full inquiry should take place in all cases where his Majesty's troops were engaged, more particularly if such occurrences were attended with loss of life; but it was to be recollected that the present case had formed the subject of three separate judicial inquiries—the proper arena for its consideration—the result of which had been a complete acquittal of the King's troops from all charge of misconduct or unnecessary violence. He thought, from the reasons he had already given, that he should only be doing his duty in supporting the Motion of the Under Secretary of State for the previous question.

Mr. *Strickland* could not remain silent on a subject which had drawn him from the retirement in which he had lived up to that time, and which had caused great excitement in the county he had the honour to represent. He must say, that he believed that the refusal of the Parliament to inquire into the events of that day was one of the causes of the great disrepute into which the Parliament had fallen in the northern part of the Kingdom. He could not but advert to the great meeting which had been held in the county of York soon after the transaction to which the Motion before the House referred, and at which a noble Earl, the father of the noble Lord who had just sat down, presided; and he must say, that the meeting had tended more to tranquillize the excitement then prevailing in the country than the refusal of the then Government of the country to take the transaction at Manchester into their consideration. While he deprecated the Motion being now brought forward, inasmuch as many of the witnesses whose testimony would have gone far to elucidate the inquiry had gone to their long account, yet he felt himself called upon to support the Motion of the hon. member for Preston, as tending to an inquiry which was called for.

Lord *Althorp* said, that the hon. Gentleman (the member for Preston) had called upon him to second the Motion; but it had been urged by the hon. Gentleman and his (Lord Althorp's) hon. friend, the member for Middlesex, that no lapse of time could possibly blot out the crime pointed out as having been committed by the hon. Gentleman. In that he agreed, and therefore it was, that he now said, if there was proof of any man having been guilty of the crime of murder, as stated by the hon. Gentleman, the laws of the country gave him the full means of investigating such a charge or imputation without appealing to the House. The House never interfered in cases of private crime, but merely for political offences, and then with a view to bring those so charged to the Bar of Justice. In the present instance it, however, appeared, that such a transaction as that stated by the hon. Gentleman had taken place, and that the authors of the calamity had received the thanks of the then Ministry, who, from that circumstance, must be presumed to acquiesce; and he thought that inquiry before the House was not so much needed for the purpose of bringing to justice those who committed, as those who had made themselves participators in the crime.

Sir *H. Hardinge:* does the noble Lord mean to accuse the then Ministers of being participators in any crime.

Lord *Althorp* was obliged to the right hon. Gentleman for the opportunity of correcting himself, as he must admit that he ought not to have used so strong a word as that with which he had just concluded, but he felt that the Ministry of that day were responsible for giving protection to those who were supposed to be guilty of political offences. In this view he had thought, and still thought, that inquiry ought to have been instituted, not with a view of bringing individuals to punishment, who might have been punished by the law of the land, but for the punishment of those who had come under the protection of the Government. This might have been done by the law as it stood, without calling upon the House to assist in it. For these reasons he could not concur in the Motion. To institute inquiry by the House at the present moment would lead to no good result. If any individual could be charged, he might be so without the interference of the House, and, therefore, he felt that no inquiry before a Committee was necessary for those persons who were alleged to have been injured in property, by the loss of relatives, or otherwise, and who had ample means of investigating the transaction, without such interference, and in a manner much better, and more satisfactory, than could be done by a Committee of the House.

Sir *Henry Hardinge* said, that, after the candid manner in which the noble Lord, who had just sat down had explained the expression he had made use of, that the Ministry of that day were participators in the crime of murder, as alleged by the hon. member for Preston, he should not say one word upon that subject. But mention had been made of the names of the noble Lords Liverpool, Castlereagh, and others, as mixed and connected with this transaction. He had the honour and satisfaction of calling the noble Lord Castlereagh his friend, and as he had gone to his long account, he (Sir H. Hardinge) would, as that noble Lord's friend, beg that inquiry might take place, rather than he should be supposed to have been a participator in the crime as alleged. Under all circumstances, he, however, could not but think that it would not now be well to enter into a review of the subject; but he would reiterate his sentiment, that if the inquiry was to be stopped merely because Lord Castlereagh had gone to his last account, he for one should support the Motion of the hon. member for Preston.

Mr. *Lamb*, in explanation, stated, that he had not put the question as stated by the right hon. and gallant Member, for the Minister in whose time the occurrence in question had taken place was still living.

Sir *Henry Hardinge* said, that he had so frequently heard illiberal attacks made on the late Lord Castlereagh, that he could not remain silent, and he should always be ready to meet them.

Dr. *Lushington* regretted that, in the present case, he should differ from his noble friend, the Chancellor of the Exchequer, as there was no man's approbation of which he was more proud, but he thought no lapse of time should be a bar to the investigation of such a transaction, and, on the principles and practice of our ancestors, who had instituted inquiries after a longer period had passed away, he was prepared to support the Motion. His principal object, however, in calling for inquiry was, that he wished it to be ascertained for present information, and to be recorded to all future generations, whether or not spies were employed on this occasion; he wished to know, from a special investigation before that House, if that statement were true; and he wished, if it were proved in evidence before a Committee of that House that such was the conduct of the Ministers, that it should be distinctly stated that that House could not assent to the doctrine that the employment of spies was the authorised practice of the English Government. Whenever it took place—whenever spies were employed, whatever praise they might deserve for the honest execution of their duties towards their employers, by which they might obtain their rewards, they too generally stimulated men to commit the actions they denounced. He must lift up his voice, on every occasion, against this un-English practice. It would become that Parliament well, if one of its last Acts before a Reformed Parliament met, was, to denounce the employment of spies; but if this Motion was now defeated, it would come again, on another day, when the people were properly represented, and then the House would have to enter into the investigation with further and greater difficulties in ascertaining the truth. It was not to punish A B or C D that hon. Members should go into this Committee. They should go into the Committee to see whether spies were employed, and whether the military or yeomanry had conducted themselves with due foresight or not; and what were the reasons he had heard urged against the inquiry? It had been said, that investigations had taken place, and trials had been had; but he insisted that it remained for a Committee of the House to inquire whether any acts of insubordination had been committed—whether spies had been employed — and if employed, were they so with a view to incite to acts of insubordination? He did not wish to prejudge the question, but he would say, that if such facts were proved, it would be the duty of the Committee to report that these practices could not be pursued without exciting the indignation of Parliament and of the country at large. Whether there might have been fifteen persons killed and 300 wounded or not, it was the duty of the House to investigate the matter, whether occurring at Manchester, Bristol, or elsewhere; and if the constituted authorities were entitled to praise, let it not be withheld; but, at the same time, if their authority had been exceeded, let punishment be awarded to them. In an occurrence of such an extent as the one at present before the House, he would say it was the bounden duty of the House to ascertain the truth.

Sir *Robert Peel* said, if there ever was a period when every man was bound to speak his opinions openly and firmly, however obnoxious to popular prejudice those opinions might be, this was the time. For his part he would never shrink from the expression of any opinion he might entertain, however unpopular it might be, if he thought it essential to the well-being of society, and the maintenance of the law. It was in accordance with that principle that he would proceed to state his sentiments upon the important question before the House. The hon. and learned Gentleman who had just sat down expressed an opinion that at all times it was the duty of the House of Commons, in any case of political excitement or disturbance attended with loss of life, to institute an inquiry into the circumstances in which it originated. Now he (Sir R. Peel) confessed this declaration struck him with surprise, when he recollected that, since the period when that hon. and learned Gentleman took his seat on that side of the House where he now sat, two cases of political excitement and disturbance, attended with grievous loss of life, had occurred, and yet they were suffered to pass over without any motion for investigation on the part of the hon. and learned Gentleman. If he entertained such an opinion, why did he not call for an investigation into the occurrences at Merthyr Tydvil and at Knocktopher? Were not those unfortunate collisions arising from circumstances of a political nature, and yet the learned Gentleman had maintained profound silence with respect to them? But he begged to ask the hon. and learned Member, was he prepared, as a Judge of the land, to say, that it would tend to assert the dignity of the laws were the judicial tribunals of the country to be superseded by the House of Commons? He had alluded to the events of Merthyr Tydvil and Knocktopher, because they had taken place during the administration of the Government with which he (Sir R. Peel) had no connexion, but of which the hon. and learned Gentleman was a strenuous supporter. He had alluded to them, not for the purpose of provoking a parliamentary inquiry into them, but for the purpose of showing that the learned Gentleman did not practically act upon the doctrine which he now maintained, though that doctrine was quite as applicable to those recent events, as to the loss of life at Manchester, some twelve years since. He (Sir R. Peel) would venture to say that, if any Member of the House had, on either of the occasions to which he alluded, brought forward a motion with a view of transferring the inquiry into their origin from the proper legal tribunals of the country to the House of Commons, the hon. and learned Gentleman would have opposed such a motion with all the eloquence he possessed. He might have done so on the firm ground that the legal tribunals of the country were more likely to give a satisfactory decision than a Committee of the House of Commons, in which there almost necessarily must be an infusion of party feelings. The hon. and learned Gentleman said, that he supported the proposed inquiry chiefly from the desire to hold up to public execration the practice of employing spies; whom he charged with not limiting themselves to the watching of the actions of suspected individuals, but with inciting the people to deeds of violence and illegality. He (Sir R. Peel) had no hesitation in saying, that if any man, in any situation in life, employed spies for the purpose of exciting sedition or inducing the commission of crime, in order that the dupes of his wickedness might be afterwards singled out for vengeance, there was no punishment in the power of Parliament or the law, too severe to be inflicted on such base conduct. But if the hon. and learned Member meant that the Government was never to receive and use the information supplied by spies, he must dissent from that doctrine. To put a case but too familiar to every one—would the hon. and learned Gentleman, at the time of the conspiracy of Thistlewood, have rejected the evidence which some of his associates tendered to the Government, showing that there was a detestable plot, having for its object the murder of the Ministers of the Crown. Would that Secretary of State be deemed worthy of his office who should turn the informer from his doors, and spurn his information, or place him in prison, as a reward for the confession of his participation in the plot? Yet such would be the course pursued by the hon. and learned Gentleman—such was the wise system of vigilance and precaution which he advocated. Parliament itself had, for years, by its annual votes, sanctioned the practice of employing secret agents. He (Sir R. Peel), in defending the principle of those votes, could not fairly be taunted with too liberal a use of the means they supplied, for he would venture to say, that there never were less sums of money voted by Parliament, or applied, under the head of secret service, than during the time of his holding the situation of Secretary to the Home Department. He would now advert to another part of the hon. and learned Gentleman's address. He (Dr. Lushington) told the House, as an argument in favour of Reform, that one of the very first acts of a Reformed Parliament would be to open their ears to the calls of the people, and make the inquiry which the people now desired. He (Sir R. Peel) had never been in want of arguments to confirm him in his opposition to the measure of Reform; but, if he did require a fatal, a convincing, objection to it, it would be supplied by the declaration, on the part of the learned Gentleman, that one of the first acts of a Reformed Parliament would be to take from the hands of the legal tribunals of the country that authority with which, from time immemorial, they were endowed, to inquire into and punish the commission of crime. He desired to be understood as having no interest, no bias of partiality or favour, in defending the Manchester Magistrates; for, at the time of the affray in 1819, he was not in office, and consequently not responsible for any of the events of the period. He understood that, on that occasion, agents, or spies, if they were to be so called, were employed; but he felt it due towards the individuals who preceded him in office—Lord Sidmouth and Mr. Hobhouse—to declare his conviction that, in the employment of those spies, no instruction whatever was given which might not be published to the whole world. They were employed, not as was falsely said, to tempt others to the commission of crime, but to enable the Government by timely notice, to protect society from the wicked plots against its peace that were then maturing. As to the Motion before them, he was determined to give it his opposition; but he would avow at once that his objection to it did not arise from the lapse of time which had occurred. Had the transaction taken place but two months since he would have equally opposed it, on the principle that, until the ordinary authority of the law was found inefficient, Parliament ought not to interfere. If any circumstances had impeded an inquiry by the legal tribunals, then the proposal for a parliamentary investigation would have met with his support. But had there been any such impediment? Did the conduct of the parties engaged in the affray escape the notice of judicial tribunals? Was there no decision by a Court of Justice?

Mr. *Hunt:* There was an unfair one.

Sir *R. Peel* supposed the hon. Member alluded to his own case, and he could assure him that it was not his intention to say any thing which could hurt his feelings. The hon. Member said, that the decision of the Jury against him was an unfair one, but the hon. Gentleman was not a very disinterested and impartial judge on that point. The fact could not be denied, that the verdict of the Jury was against him, and that he was, by Mr. Justice Bayley, sentenced to imprisonment. Now, this was one solemn decision of a legal tribunal on the conduct of the parties engaged in the affray, and that decision was in favour of the part acted by the yeomanry. But was this all? Was this the only trial that took place. It appeared not; for, shortly after the event, an individual of the name of Redford brought an action against an officer in command of the yeomanry cavalry, to recover damages for alleged injuries. This action came on to be tried at the Lancashire Assizes. The trial lasted four or five days, and in its progress every portion of the occurrences at Manchester on the 16th of August was detailed in evidence. Well, what was the decision of the Jury? Notwithstanding the immense mass of evidence that was brought before them, they took but a few minutes to deliberate, and unanimously returned a verdict for the defendant. Thus was the case twice decided after a solemn investigation. But it underwent a third, and, if possible, a more solemn, inquiry: for in the Term immediately following the trial, a motion was made, on behalf of Redford, for a new trial. This motion, after a solemn argument, which lasted two days, and after Mr. Justice Holroyd had read his notes of the trial, was refused, and the four Judges of the Court of King's Bench, being Lord Chief Justice Abbott, and Justices Best, Bayley, and Holroyd, in delivering their judgments, which they did *seriatim*, unanimously expressed their conviction that no blame whatever was attributable to either the Magistrates, yeomanry, or military engaged in the affray; so far from it, they stated their opinion that the conduct of those individuals entitled them to the thanks, not only of the people of Manchester, but of the country. He would read the opinion of those Judges to the House. Lord Chief Justice Abbott said,

> "It appears to me that the Magistrates acted legally, justifiably, and with a promptitude and spirit that entitled them to the gratitude of the neighbourhood, and the thanks of their country. If, instead of putting an end to the meeting, they had suffered it to go on, —if they had suffered them to act as they pleased, after such speeches as we have an account of the beginning of, no man can say that the town of Manchester would have been safe for that night. There is no one who can venture to say that, in the course of a very few weeks, that town and its neighbourhood would not have been in such a state of insubordination and insurrection as must have led to the most fatal consequences. Many of us are old enough to remember what mischiefs were created in the metropolis, while the hands of justice were paralysed: lest I should be misunderstood, I wish to say, that I am alluding to the riots in the year 1780. I have no hesitation in saying, that, if an hundredth part of that which was done on the sixth or seventh days of those riots had been done in the first instance, nothing of the kind would have occurred, which was afterwards so much to be deplored. It was, therefore, most important for the Magistrates to prevent those acts which would reasonably lead to such fatal results; and which, we are informed by the evidence in this case, many of the persons who attended this meeting did certainly meditate. The address of the learned Counsel concluded with a suggestion, that we ought to be able to see that there was a preconcerted design, on the part of the Magistrates, to send in the military, in order to take away the lives of unoffending people, and prevent the recurrence of similar meetings. I own I am surprised at such an observation. The evidence warrants no such conclusion, but quite the reverse. I am of opinion that all that was done by the Magistrates was done with temperance and forbearance."

["*Hear, hear.*"] It was not his own opinion he was propounding; he was reading the solemn judgment of the Lord Chief Justice of England judicially delivered. To assent to this Motion would be to reverse the judgment of the Lord Chief Justice of England, and the other Judges, and to supersede the authority of the Court in which they presided? The Lord Chief Justice concluded thus,

> "I am of opinion that all that was done by the Magistrates was done with temperance and forbearance, and that, for this conduct, instead of the reprehension which, by this motion, is attempted to be cast upon them, they are entitled to the thanks of their country."

Mr. Justice Bayley, who had had the advantage of hearing the previous trial of the hon. Member delivered this opinion:—

"I personally have had an opportunity of hearing some evidence upon this subject, and of forming some judgment as to the legal points of the case; but I have no hesitation at all in saying this, which the recollection of the Court will bear me out in, that the evidence in this case goes to points, to which in no former case it had gone; and that all the difficulty, and, in a great degree, all the doubt, which could have existed in any former case, was entirely, by the evidence, removed in this. There is abundance of evidence in this case, —and I say, in this case, for the first time— that without the aid of the military the warrant could not have been executed. The observations I have made have a tendency to show that, in my mind, the verdict is in no respect against the evidence; but that, on the contrary, it is, from beginning to end, consistent with the evidence in the case. And I repeat, that the evidence, as to many points, is entirely new, and extremely strong; so as to remove, and I hope it will effectually remove, from many minds which previously did doubt, those doubts which those minds had entertained."

Mr. Justice Best said,—

"It appears to me impossible any man can read this evidence, with an intention of understanding it, and not say that further mischief (on some future day) was the object. If that was the object, it was, indeed, a tremendous meeting. Every movement of that meeting was calculated to produce the terror that it did produce; and I think I am called upon to say, in consequence of what was said by Counsel, that not only the county of Lancaster, but the surrounding counties, are indebted, for the peace they enjoyed afterwards, to the courage and activity with which the Magistrates dispersed this meeting. I would not have made these observations, if we had not been told that the conduct of these Magistrates was scandalous; that it was all trick, and that they might have dispersed the meeting without the military. That is an assertion contradicted by all the evidence, and by common sense. It appears to me that there is no foundation for saying that all this was a mere pretence to let loose the military authority, and draw back the civil power."

Mr. Justice Holroyd, who tried the cause, said,—

"I think it is not only a proper verdict, but the contrary verdict would not, by any means, have been warranted by the evidence. And I think it right, likewise, to state, that I concur with the rest of the Court in thinking (and it appears, I think, most abundantly by the evidence) that there was great anxiety on the part of the Magistrates, from time to time, and during the whole course of the proceeding, to do that which was right, and, as it appears to me, to prevent mischief. And the evidence appears extremely strong as to the necessity of calling in the military, in order to execute the warrant. I say their evidence (in that of the officers and privates of the regiment of Hussars) goes strongly to show, not only that military force was necessary to execute the warrant, but that, if the yeomanry had been left to themselves, and further military had not arrived, the aid of the yeomanry would not have been sufficient for the purpose;"

Such was the decision pronounced upon this transaction by the Judges, after the fullest inquiry, upon evidence given on oath, and while the events in question were fresh in the memory of all the parties concerned. Who could say with truth that this subject had not been inquired into, had not been disposed of finally by the tribunals best qualified to dispose of it justly. For his part, after the opinions of the Judges expressed on the conduct of the parties accused, he would not, for the sake of any popular feeling, be guilty of so shabby and disgraceful an act as to abandon those whose conduct had been pronounced, not only free from blame, but entitled to high commendation; and he should, therefore, at once join in meeting the Motion with a direct negative, on the plain merits of the question. If they were to revive those transactions, which ought to have been long since buried in oblivion, and subject the individuals accused and honorably acquitted to further examination, they would be doing that which was utterly inconsistent with the first principles of justice. The hand of death had now removed most of the parties who had acted a prominent part on the occasion in question; the long interval of twelve years had put much important testimony out of the reach of any human tribunal; full inquiry had been made at the time, and that inquiry had established the innocence of those who were accused. If no time, no acquittal, could protect public officers from new trials, on imperfect evidence, what prudent man would undertake a thankless public duty that exposed him to such persecution?

Mr. *Philip Howard*, as the Representative of a populous town, felt bound succinctly to state the motives which impelled him to oppose the Motion of the hon. member for Preston. It was certainly not expedient that the solemn decisions of the Courts of Justice should be submitted to Committees of that House for revision; but, even admitting the abstract right of interference on the part of that House, in cases of extraordinary emergency, he conceived that the evidence which could be brought forward, after such a lapse of time, would be extremely imperfect. He was inclined, also, to place great reliance on the opinion which was expressed with respect to the conduct of the Magistrates, by two of the most upright and impartial Judges that ever sat on the Bench in this country. To the late Mr. Justice Holroyd, whom he had known on the northern circuit, and who had the reputation, not only of invariably administering the strictest justice, but of paying the most scrupulous attention even to trifling and comparatively unimportant questions, he more particularly alluded. That honest Judge, like the greater part of those who had acted on that trying occasion, had paid the debt of nature; but securely and without presumption might he have exclaimed

"Meâ virtute me involvo."

Recent calamitous occurrences at Bristol had shown the extreme danger of large and tumultuous assemblages—they had shown the necessity of acting on the old proverb of "*obsta principiis;*" the sad fate of Bristol showed, that the Magistrates of Manchester, by prevention, had adopted the safer, if not the more popular course. The smoking ruins of Bristol pleaded in their justification. The effects of the collision between the Yeomanry and people at Manchester were before the House; but would any one venture to say what might have been the consequence of a different course? He imputed no improper motives to the member for Preston, yet he must say, this inquiry would enkindle, in a peaceful population, the flame of party spirit, and serve anything but the ends of justice.

Mr. *Gillon* was of opinion, that justice, however tardy, ought to be done in this case. The death of some of the individuals concerned in these transactions was no reason why inquiry should not be gone into. He should vote for the Motion, because he thought that an inquiry should be instituted with respect to the conduct of the Yeomanry, which was, he contended, the most unconstitutional force in the country. They were the ready instruments of every Tory Administration, and ought not to have been employed on such an occasion. If the inquiry were not now agreed to, it would ultimately be granted by a reformed House of Commons, who would attend to the feelings and wishes of the people.

Colonel *Sibthorp* denied that it was unconstitutional to call in the aid of the Yeomanry force on such an occasion as that alluded to. He had at that time a command at Huddersfield, and, from personal observation, could vouch for the discreet conduct of the Yeomanry; he could testify, that hundreds of persons assembled at Huddersfield, not only with bludgeons, but with pistols in their pockets, and that much mischief was prevented by the presence of the Yeomanry.

Mr. *Petre* was one of those who thought that every possible inquiry should have been made at the period at which the occurrences alluded to took place; but the lapse of twelve years made a most material difference, and he certainly was of opinion that any further inquiry now could not be made with advantage.

Mr. *Moreton* observed, that, by the law of this country, no lapse of time could lessen the crime of murder; and he should always speak of the persons who were killed on the 16th of August as having been murdered. In his opinion, the Committee ought to be granted. He regretted to see some hon. Members upon this occasion seeking for an excuse to oppose it.

Mr. *Heywood* was convinced that no good could result from further inquiry at this time, and consequently should vote with Ministers against the hon. Member's Motion.

Mr. *Maurice O'Connell* could not concur with any of those who thought that the blood which was spilled at Manchester did not, even after the lapse of twelve years, demand that further inquiry should be made. The question now was, not whether certain judicial inquiries had been made, but whether the people were satisfied with those inquiries, and whether they did not think that further inquiry was necessary. If those who were resident upon the spot, who had witnessed the transaction, and who had suffered by it, were not satisfied with the investigation which had been made; if they thought that full justice had not been done, surely, their demand for further inquiry ought not now to be rejected. At all events, he (Mr. M. O'Connell) should support the Motion of the hon. member for Preston, whose sentence, upon the occasion, alluded to, he regarded as one of the foulest that had ever disgraced the annals of British jurisprudence.

Mr. *Stanley* rose principally to notice the doctrine of the hon. and learned member for Clare, that that House ought to revive subjects that had been decided by legal tribunals; and the statement of the hon. member for Gloucestershire, that hon. Members were seeking for an excuse for the vote which it was their intention to give. He must protest against such doctrine been promulgated. He had no doubt that the hon. Members alluded to would vote as he purposed to do, upon the constitutional grounds laid down by his noble friend, Lord Althorp. He would give no opinion on the Manchester case, being satisfied with the verdicts of Juries and the decisions of Courts of Justice. His noble friend, the Chancellor of the Exchequer, had properly said, that it was not the business of Parliament to institute judicial inquiries, but to decide whether the Government of the day ought to be subjected to parliamentary censure. The doctrines of the hon. members for Gloucestershire and Clare had caused him no little surprise; but he had too high an opinion of the immaculate justice and purity of our Courts, to imagine that it was now necessary to call for a parliamentary opinion upon an event thirteen years after it had taken place, and more especially after it had been the subject of four successive appeals to Courts of Law. It was most unfortunate for the cause of Reform that all those who supported this Motion and that cause should say, they did not hope for justice now, and would, therefore, rather wait for a reformed Parliament. This was a most unhappy argument in favour of Reform, and if he thought that a reformed Parliament would usurp the powers of the legal tribunals of the land, he would be as strong an opponent of Reform as he now was an ardent supporter of that measure. Fortunately, however, an answer had been furnished to this statement in the course of the debate, for he would ask, was there any Member more freely returned, and by a more independent and manufacturing constituency, than the hon. member for Lancashire? That hon. Gentleman might be taken as a fair representative of what was to be expected from a manufacturing constituency, and his opinion might be taken as the voice of the great manufacturing and commercial interests of the county of Lancaster. That opinion was, that it would be better now not to interfere with this subject, and not to hazard ill consequences by reviving the recollection of events which had much better be forgotten. The present, too, was an impartial Parliament, and had a better opportunity for deciding this question fairly, now that the parties accused no longer formed part of the Government of the country; and it would be better to let the matter rest, as, he believed, the hon. member for Preston, even if he succeeded, did not mean to go the length of an impeachment against the Ministers of that period. ["Yes, but I do though"—from Mr. Hunt.] If the hon. Member did, he could not go along with him, and should certainly oppose a motion of that kind whenever it was brought forward.

Mr. *James* could not agree with any one who could say that justice had been done in this case, and he should certainly vote for the Motion of the hon. member for Preston, thinking that inquiry ought to take place. He also differed from the right hon. Secretary for Ireland, as he regretted that the subject had not been deferred until there was a reformed Parliament.

Mr. *Ewart* said, that he should follow only the dictates of his cooler reason, not those of feeling or of passion, on this occasion. It appeared to him that the arguments of the right hon. member for Tamworth were quite irresistible, if the House adopted only the legal view of this question. He, at all times, strongly deprecated the interference of the Legislature with the executive, and that of the House of Commons with the recorded decision of the Judges. But there were political considerations involved in this question, as well as legal ones. Where undue political interference had been exerted, it was the duty, and it was consistent with the principles, of the House of Commons to interpose. On that principle they acted in cases of impeachment. He thought, also, that this would be, not only the more constitutional, but the safest course to follow. If they met the question openly and at once, the agitation of it would be at an end; they would conduct it, as it were, silently away, instead of permitting it, at some future period to explode, when its explosion might occasion danger and detriment to the country. For these reasons he should vote in favour of the Motion.

Mr. *Hunt* replied, he had no great hopes, from the feeling of the House, that a Committee would be granted. He regretted, however, that there were several Members now present, particularly the right hon. baronet, the member for Tamworth, who had not heard his statement. The conduct of persons now in office was contrary to their former principles, but that was inseparable from their station; for if not, where was the Secretary at War (Sir

J. Hobhouse), whose speeches within and without doors he should have liked to compare. He was quite sure, however, that the time must come when an inquiry into the whole transaction would take place. The right hon. Gentleman, the Secretary for Ireland, had protested against Parliament taking up such a question, and asserted, that if he could be convinced that a reformed Parliament would usurp the authority of the Judges, and decide in such a case, he would be the foremost to vote against such a reformed Parliament. He could not, however, concur in such an opinion, because he was fully convinced that the investigation of such a transaction was within the bounds of parliamentary interference. The right hon. Baronet had said, that there had been four verdicts; but what sort of verdicts were they, when the Judge declared, on one of the trials, that he could receive no evidence which tended to inculpate the soldiery or the Magistrates? So it was in his case; a verdict was given only on half of the twelve counts of the indictment, and so little confidence had Government in the law which then existed, that Lord Castlereagh got an *ex post facto* law passed, in order to make out the charge against him. There was one trial at Lancaster against the yeomanry, brought by Mr. Redford against Captain Birley, but he had no hesitation in saying that that was a sham trial; the evidence given by Redford fully showed that such was the case. And what had become of the spies that acted on these occasions? Oliver, he knew, was dead, but Castles and Edwards were still alive, and holding offices abroad under different names.—[A Member said, one of these, too, is dead.]—Well, if he were dead, another was receiving the pension in his name. The right hon. Baronet had referred to Thistlewood's conspiracy, but that was, in fact, Edwards and Castles' conspiracy, who, for the sake of the blood-money, got it up, and brought innocent men to the scaffold. When spies were employed they were sure to go beyond the instructions they received. They incited people to enter into the conspiracy, for which they were predisposed by their distresses. One of these individuals tried, in fine clothes, to set upon him (Mr. Hunt), but he did not like him, and would have none of his company. Had that spy been cunning enough to entrap him, he would have been a Peer by this time. As to the people being armed at Manchester, he would merely ask, was there a dagger, or a bludgeon, or a sword, found on one of them; and if there had been any such weapons, would they not have been produced? If it could be proved that Lord Sidmouth had hired these spies, he would say, that, high as he was, there never was a more fit subject for impeachment. The right hon. Secretary seemed to think that his object in making the Motion was to punish the Yeomanry. He had no such intention. He aimed at higher game, and would be ashamed to prosecute such humble individuals if higher characters could be reached. He regretted the father of the right hon. Secretary (Mr. Stanley) was not in the House, as he was foreman of the Grand Jury when the bills were found against him. On that occasion, though two women came forward on the Friday to give evidence against the Yeomanry, not a witness was examined; yet, next day they proceeded to hear evidence against him, and thus passed over one entire day—a course of proceeding quite unprecedented. He might also state, all the counsel against him had been made Judges, with the exception of the hon. member for Cockermouth (Sir James Scarlett), who, he hoped, had not been neglected, because he (Mr. Hunt) had been rather an overmatch for him. Sergeant Cross, Sergeant Hullock, and Mr. Alderson, had all been made Judges; but how did it happen that Mr. Justice Bayley had never been raised higher? That Judge, he was informed, had declared that he would not subject him to one hour's imprisonment; but his opinion was controlled by the other Judges. The way in which the Judges had settled the period of punishment for him was done in the following way, as he had learned from one of the Judge's clerks, and he believed that was the usual mode of proceeding when they differed in opinion, they put down their opinions in writing; Mr. Justice Bayley was against any imprisonment, Mr. Justice Best was for five years, Mr. Justice Holroyd for three, and Mr. Chief Justice Abbot for two; so they added the number up, and divided the sum by four, which gave him two years and a-half imprisonment. He must, in conclusion, say, that he liked better the decided opposition to the measure made by one party, than the quibbling of the other side. He hoped the right hon. member for Tamworth would alter his opinion with respect to spies, as he had once before very honourably done on the Catholic question.

Sir *Robert Peel* wished to say a few words in explanation. To those hon. Members who heard him address the House they would be unnecessary, but to others who had since entered the House, some of the remarks of the hon. member for Preston might seem to call for a few explanatory observations. What he said relative to the employment of spies was this—that the employment of spies for the purpose of fomenting and exciting disturbances, and then bringing the persons who participated in those disturbances to punishment, was an unwarrantable use of improper instruments which ought to subject the persons using them to the heaviest penalty which the Constitution provided for such an offence; but he added, that he could not, as an honest man, having some experience of Government, assent to the doctrine that Government were not justified under any circumstances in availing themselves of the assistance of spies. Though not strictly in explanation, the House would perhaps allow him to give a complete contradiction to a statement which had been made by the hon. Member. He had, stated that the action brought by Redford against Captain Birley was a mock action. Was it possible to say anything more unjust towards the counsel employed in the prosecution? Was it probable that the two honourable men who were employed by the plaintiff would have been parties to a mock action? The hon. Member said, that the evidence which Redford gave upon the trial was of a nature to confirm his suspicions that the action was a mock one. Now, it happened that Redford, being plaintiff, was not and could not be examined, and, therefore, the principal ground upon which the hon. Member rested his assertion was taken away. He begged to refer the House to the evidence given by a woman named Mary Dawson. She was asked, whether she saw stones thrown; her reply was "no." She was asked whether the people made any resistance. She replied, that they did not. She was asked, what the soldiery did. She replied, that they cut the people as soon as they came on the ground. She was asked, whether she saw any persons wounded, and she replied, that she did, and that she took fourteen wounded men into her house, and dressed their wounds. Was this, he would ask the House, the sort of evidence which would have been brought forward, if the object of the plaintiff had been to defeat the ends of justice?

The *Attorney General* said, that the hon. persons who conducted the plaintiff's case were utterly incapable of being parties to a mock action. They were very zealous persons, and, feeling then as, they did now, that the transactions at Manchester required legal isvestigation, they took the utmost pains to bring forward the case in the best possible way. The hon. Member, in the observations which he made respecting the sentence which was passed upon him had shown himself to be completely misinformed, not only with respect to the general practice of the Judges, but with respect to their conduct in his particular case. It was remarkable that the hon. Member who objected so much to the employment of spies upon other occasions should have made use of knowledge avowedly obtained from a servant who had betrayed the secrets of his master.

An *Hon. Member* denied that Lord Sidmouth had sent spies to Manchester in order to excite the people to outrage. The noble Lord was incapable of such conduct. The hon. Member talked of impeachment; but he was sure that Lord Sidmouth would not shrink from any investigation of his conduct. Amongst the many virtues which his Lordship possessed was that of not shrinking from the defence of any act which he had done in the execution of his duty.

Mr. *Hunt* said, it was unusual for Members to speak after the mover had replied.

The *Speaker* said, that the hon. Member should consider whether the new matter which he had introduced into his reply should not give those persons who were affected by his observations the privilege of speaking in explanation.

Sir *James Scarlett* said, that the hon. member for Preston had alluded to a triumph which he supposed he had gained over him on a former occasion. He was quite unconscious of the circumstance; but if the idea afforded the hon. Member any pleasure, he might continue to enjoy it. The hon. Member, however, was entirely mistaken in all the facts he had stated respecting the judgment of the Judges. He was astonished that a person of the hon. Gentleman's experience should suppose that the Judges would allow their clerks to know the result of their deliberations. He was sure, that if any Judge in England should be guilty of conduct so absurd and base, Mr. Justice Bayley would not be the man. He would unite with the hon. Member in praising the learning and integrity of that Judge. He conducted the hon. Member's trial in a most impartial manner. The result of the trial was well known. With respect to his share in the proceedings, he would not say a word, because he was always unwilling to allude in that House to transactions in which he had been engaged as counsel.

Mr. *Hunt* said, that he had not employed the Judge's clerk to betray the confidence of his master. If he had done so, he should have been as guilty as the persons he had been denouncing.

The House divided on the previous question: Ayes 206; Noes 31—Majority 175.

List of the NOES.

Blackney, W.
Blake, Sir F.
Bodkin, J. J.
Bouverie, Hon. D. P.
Doyle, Sir J. M.
Duncombe, T. S.
Dundas, T.
Ellis, W.
Ewart, W.
Gillon, W. D.
Harvey, D. W.
Hodges, T. L.
Hoskins, K.
James, W.
Johnston, J.
Lambert, J. S.
Lushington, Dr.
Macnamara, W. N.
Milton, Lord
Moreton, H. F. G.
Musgrave, Sir R.
O'Connell, M.
Paget, T.
Phillips, C. M.
Strickland, G.
Tomes, J.
Vernon, G.
Vincent, Sir F.
Walker, C. A.
Warburton, H.
Wilks, J.

TELLERS.

Hunt, H.
Hume, J.

COMMITTEE ON THE SILK TRADE.] Mr. *George Bankes* said, that, as a counterpoise to the great influence which the practical knowledge of the hon. member for Ipswich must of necessity give him in the Select Committee on the Silk Trade, he would move, that the name of Mr. Wynn Ellis, a Gentleman also extensively engaged in the Silk Trade, be added to the Committee. He also intended to move, that the names of Mr. Robinson and Mr. John Stanley be added to the Committee. He was aware that it might be alleged that some stagnation had already taken place in this trade, in consequence of the appointment of the Committee; but he contended, that any degree of stagnation which had taken place was to be attributed, not to the Committee, but to the speech of the right hon. the Vice President of the Board of Trade, with which the concession of that Committee was accompanied. He considered that speech was calculated to do much mischief, and prevent, in no small degree, the benefit which might otherwise have been expected from the Committee; and, he entreated the right hon. Gentleman, if the Government had come to a determination on the subject, and only appointed the Committee to register that determination—he entreated him at once to state the fact, and explain the measures he had in contemplation. In conclusion, he observed that, if the very reasonable proposition he was about to submit was refused, he should consider it quite clear that the silk trade had nothing of good to expect from the Committee. The hon. Member then moved, that Mr. Wynn Ellis be added to the Committee.

Lord *Althorp* was not prepared to offer any opposition to this Motion. He would, however, object to the addition of the other two names, not from any personal feelings, but upon principle. It was very inconvenient to have names added to a Committee which had once been regularly and properly appointed.

Motion agreed to.

Mr. George Bankes moved, that Mr. Robinson's name be added to the Committee.

Negatived.

POOR—ALLOTMENTS OF LAND.] Mr. *Weyland* had to propose a measure for the amelioration of the condition of the labouring classes of society, and when it was considered that he addressed a British House of Commons, he might with confidence, if it were necessary, call for a large share of their patience and attention. He very much lamented that the successive Administrations who had governed the affairs of this country had been deterred, by an exaggerated view of the difficulties involved in the subject, from taking an enlarged and comprehensive view of the interests of this all-important class of the community, and from laying down fixed principles upon which their conduct towards them ought to be regulated. He did not state this as matter of accusation and reproach against these Administrations, and least of all against the present Government. He knew well the pressure under which they acted in that House, from what were called the great interests of the country, and that they were often precluded from adopting measures which their hearts and consciences would approve with respect to the labouring classes; in fact, that they were too frequently compelled to pay exclusive attention to the pounds, neglecting the pence—thereby reversing the old proverb, which concentrated the wisdom of ages, that if you will only take care of the pence, the pounds will take care of themselves. There never was a more true axiom propounded in politics than this—that no commonwealth could be in a safe and satisfactory state which was not based upon the solid foundation of a labouring population, sound in morals, solvent in circumstances, and happy in their temporal condition. To take upon this occasion only a financial view of the question—it was idle to talk of supporting the revenues of a great and industrious community by the mere contributions of the rich, or by the purchases they could make of taxed articles for consumption. It was the great mass of the people which ought always to be the great consumers, and who could alone be the solid supporters of the revenues of any great state. The revenue of the British empire had decreased, and was still rapidly decreasing, and, on investigating the heads under which the principle deficiency was to be found, it would be seen that the deficiency existed in those articles of general consumption of which a prospering and solvent people were the chief purchasers. If this was the melancholy fact, in what manner ought it to be met? He conceived the rule ought to be this—that, wherever the industry, intelligence, and capital of any portion of the community, had built up for themselves a thriving and prosperous source of industry and employment, it ought to be considered by a paternal Legislature and Government as a vested interest not to be lightly dealt with upon mere general and theoretical principle, but nursed as a substantial acquisition, carrying on the community in its career of happiness and prosperity. But, as in a highly commercial country like the British empire it was impossible to carry out this principle in all its strictness, because the competition with articles grown or manufactured in countries in a more simple state of society, and less highly taxed than our own, must in some degree prevail, the Legislature was reduced to a dilemma of some difficulty. It was clear, that, in proportion as these foreign articles came into competition with our own, the prices were reduced; and although consumption, and often even domestic production was increased, it was always at the expense of a great reduction of the profits of stock, and the wages of labour; and the result was, an operative class more intensely worked and more scantily paid, producing turbulence, discontent, and all the wretched consequences which had lately been exemplified in almost every corner of the land. The comforts of life, according to the scale upon which the general progress of society had taught the people to estimate them, were denied to the labouring class as the due return for their labour; and the peace of society required that they should be made up from other sources. There were but two ways in which this compensation could be made, either by the degrading and debasing system of making up the deficiency of wages from the poor-rates, or by giving the people a more direct participation in the produce of the soil. The first was morally bad, and politically insufficient. The last, as experience had fully shown, was not only politically good, but was, perhaps, the only system still left, by which the moral welfare, the real independence, and the temporal happiness of the labourer might really be promoted. The measure he had to propose was a step, and he lamented to say, a short step in this desirable progress—but it was such a step as an humble individual like himself might hope to succeed in urging, in the expectation that, should it be found a safe and a firm step, those who alone could have the power of forming a further progress, might at length betake themselves to that salutary course. He would endeavour to explain, very briefly, the object of the measure he had to propose to the House. As he understood that the introduction of it would not be opposed, he would not anticipate the objections which in a future stage might, perhaps, be made to the details of the Bill. Within the last eighty years about 4,000 Acts of Enclosure had passed the Legislature, in very many of which allotments had been made for the benefit of the poor, which now, if not entirely useless, did at least produce much less benefit than they would confer, if industrious cottagers of good character were allowed to occupy them at a fair rent, in such small portions as would enable them to bestow their superfluous time on the cultivation of them, and to carry home the produce to increase the comforts of their domestic establishments. He should not go beyond the truth in saying, that the occupation of three-fourths of an acre by an industrious cottager would just make this difference in his condition; that, instead of being a dependent upon the parish rates in case of accident, or of his having a large family of children, he would not only be able to subsist in comparative independence, but would have the means of training up his family in those habits of industry, sobriety, and self-dependence which heretofore formed so remarkable a feature in the character of our English peasantry. These were the main objects of the Bill which he now ventured to propose to the House; and, as he was not to be met by a negative from his Majesty's Government, he trusted that he should experience the same forbearance from those hon. Gentlemen who, too frequently opposed to measures of this description, the strict and stringent principles of the science which they were pleased to call political economy. He venerated those principles in the abstract, and thought that no man who presumed to meddle with political affairs ought to be ignorant of them. But it was an indolent sort of statesmanship that would apply them without inquiry to our complicated state of society, the prosperity of which had been gradually built up before those principles were fully known and developed; so that the chain which bound it together would be fatally shattered by the rude shock which the indiscriminate application of those principles would be liable to inflict. To Gentlemen of this way of thinking he would humbly submit a quotation from Lord Bacon, who said:—

> "There are counsellors and statesmen which can make a small state great, and yet cannot fiddle — i. e. make fine speeches, nothing in substance, but in tone as the sounding brass and the tinkling cymbal; as, on the other side, there will be found a great many that can fiddle very cunningly, but yet are so far from being able to make a small state great, as their gift lieth altogether the other way; to bring a great and flourishing state to ruin and decay. But let counsellors and governors be held in any degree *negotiis pares* able to manage affairs; be the workmen what they may, the work is the main object, that is the true greatness of kingdoms and estates, and the means thereof."

If, then, the true greatness of kingdoms and estates depended upon a good moral and political condition of the mass of the people, it might be worth inquiry how far preceding governments and Legislatures had or had not been a little too much addicted to fiddling; and, if so, whether the House now had not better throw away the violins and betake itself to the more serious and practical inquiries which the times demanded. He should beg to move for leave to bring in a Bill to authorise (in parishes inclosed under any act of Parliament) the letting of the poor allotments in small portions to industrious cottagers, and to extend the provisions of the Acts 1st and 2nd William 4th, cap. 42 and 59.

Lord *Althorp* would wait till the Bill was in a printed form before the House before he offered an opinion on its merits, without then pledging himself one way or the other as to its principle.

WEST INDIES.] Mr. *Burge* wished to put a question to the noble Lord, the Under Secretary for the colonies, the answer to which would determine whether he should feel it necessary to make any further statements to the House respecting the distresses to which several of the West-India colonies were subject. From documents that had been laid on the Table, he found Jamaica, particularly, was the theatre of very severe distress, and had suffered most materially from the effects of the late rebellion, as well as from other causes. The aggravated misfortunes of the planters had produced intense anxiety. All who had property in the West Indies expected the immediate disclosure of some plan of relief for the colonies, without that restriction which they considered adverse to their rights and interests.

Lord *Althorp* observed, that, as the hon. Gentleman had not made up his mind whether he would make his Motion or not, it was irregular to enter into argument.

Mr. *Burge* was desirous of prefacing the question he had to propound, but, if he was precluded from going into argument by the regulations of the House, it was contrary to his wish to say or do anything irregular; he would, therefore, confine himself to the intended question, and ask the noble Lord whether the papers laid on the Table contained all the information of which his Majesty's Government were in possession respecting the island of Jamaica and other colonies.

Lord *Howick* had not the least hesitation in saying the papers contained all the information his Majesty's Government were in possession of respecting what had occurred on the Orders of Council transmitted to the Governors of the West-India colonies. The hon. Gentleman, looking at the dates, would see why there was nothing in the papers about Jamaica. It was impossible the packet by which they arrived could have brought information on that subject. The papers contained all the information respecting the Orders in Council. There was also another class of correspondence relative to the state of feeling in Jamaica and other colonies.

Mr. *Burge*, after what the noble Lord had said, would not insist upon pressing his general argument. At the same time, he could not avoid saying, it was of the greatest importance, that an opportunity should be afforded of looking into those documents as soon as possible, with a view of bringing the great question of the colonies under immediate consideration. At present, he would content himself with moving, that there be laid before the House copies of all despatches from the Governors of colonies, in answer to the letter of Lord Goderich, which accompanied the Order of Council of the 3rd of June. Also copies of despatches received from Jamaica up to the 10th of March.

On the question being put,

Mr. *Baring* would take advantage of that occasion to urge upon Ministers the pressing necessity of an immediate measure of inquiry into the present lamentable condition of our West-Indian colonies, with a view to remedy. That condition was such as could not much longer be permitted to exist, without the most fatal consequences, not only to the colonists themselves, but to the mother country; and it was the bounden duty of the executive not to delay a single hour in calling the attention of Parliament to its causes and consequences.

Mr. *Fowell Buxton* also thought, that the House ought to enter upon an early discussion of the question of the West-India colonies. He thought, too, that they ought to enter on the consideration of the state of slavery in the colonies—always, of course, in combination with that of the compensation to be granted to the planters. He should himself, at a very early period, submit a Motion to the House on the question. The first object of that Motion would be, the state of slavery itself; and the other, the means of getting rid of it altogether.

Mr. *Keith Douglas* was likewise of opinion, that the House ought early to enter on the discussion of the question. He wished to know whether the noble Lord would allow them the opportunity of doing so on the further consideration of the Sugar Duties' Bill?

Lord *Althorp* feared, that it would be inconvenient to do so in any stage of that Bill. He intended himself to introduce the discussion of the question in the course of the present Session, but he should not now state the plan he intended to propose.

Mr. *Hume* said, that in the present state of the West-India colonies, they were affected by a want of credit. Now, he thought that the threats which had been held out to them by the Government were likely to destroy all the credit they did possess. Whatever plan the Ministers had in view—whatever punishment they intended to inflict—he thought no time should be lost in bringing it forward.

Lord *Howick* agreed, that this question ought to have the earliest possible discussion. He was anxious for the discussion, if it were only for the purpose of answering the unfounded assertions that had lately been made. He complained of those assertions; he complained, too, of the hon. member for Middlesex talking of a threat. No threat had been used—nothing in the nature of a threat. There had been a promise of advantage to those colonies which might adopt certain measures the Government had recommended, but there had been no threat. The Government had laid down a principle. They wanted to relieve both the planter and the slave; but they had used no threat. The hon. Member might have talked of threats, in allusion to the language which Mr. Canning had sometimes held towards the colonies; but the present Government had used no threats. The Government had offered a boon to those colonies who adopted their recommendation.

Mr. *Goulburn* said, he should not object to the second reading of the Sugar Bill this night, provided that, at the next stage of the Bill, an opportunity was given for the discussion of it.

Mr. *Burge* insisted that, notwithstanding the positive denial of the noble Lord, threats had been held out by the Government towards the colonies. He thought that a promise of advantage to some was a threat to others. He must strongly urge on the Government the necessity of a speedy discussion of this most important question.

Mr. *Labouchere* merely wished to observe, that, as the hon. Member (Mr. Fowell Buxton) had allowed that compensation was due to the planter, he very much wished the hon. Member would take an early opportunity of explaining himself as to the nature of that compensation.

Mr. *Baring* thought it highly inexpedient that the subject should be delayed.

Lord *Sandon* said, that in the present circumstances of the colonies, this important subject should be considered as speedily as possible. In the existing state of the West-India interests the question was one of life and death.

Motion agreed to.

FRIENDLY SOCIETIES.] Mr. *Wilks* rose, to move for leave to bring in a Bill to amend the law relating to Friendly Societies, and to extend the time granted them for complying with the provisions of the 10th of George 4th. The permanent well-doing of these societies had already engaged the attention of Parliament on various occasions, and many hon. Gentlemen, especially the right hon. member for Exeter, and the hon. member for Colchester, had devoted their kind and benevolent exertions to promote the welfare of these wise and provident institutions. In the reign of his late Majesty, an Act of Parliament was passed for the regulation of these societies: he referred to the 10th George 4th, c. 56. Among the provisions of that Act, it was required, that all societies previously existing, and which had not been previously enrolled should, within three years after the passing of that Act, comply with its provisions. It was required by the Act, that these societies should submit their articles to the Barrister appointed by the Act; and, after having obtained his sanction, they were then to apply to the Magistrates in Session, and, upon their approbation being given, they were to get the articles enrolled by the Clerk of the Peace. These arrangements had been complied with in many instances; but not without being accompanied with much trouble and expense. There were, besides, many societies which had not complied with the provisions of the Act, and which were now exposed to utter ruin, unless some measure should be adopted to extend the time within which, by the provisions of the Act, articles must be enrolled. It was difficult to ascertain the number of societies in that situation; but, according to returns made, there appeared to have been upwards of 19,000 friendly societies existing in this country at the time of the passing of the Act; that about 6,000 were previously enrolled, and it was believed that not more than 2,000 societies had complied with the provisions of the Act; consequently, there were at this time upwards of 10,000 societies which had not conformed to the provisions of the Act, and which would be excluded altogether from the advantages of their union, unless some measure of the kind he now proposed were adopted. Under these circumstances, he was persuaded the House would feel that it was desirable, not merely for the sake of these institutions, but for the welfare of the country, which was deeply and vitally interested in the prosperity of the industrious classes, that some step should be taken to preserve and continue so large a portion of these societies, and the existence of which was now in so perilous a situation. In order to inspire the lower classes with that spirit of honest and honourable independence which these societies fostered and encouraged, and on which the stability and permanent welfare of this country so much depended, it was absolutely requisite that every endeavour should be made, to preserve the existence of these institutions. The difficulties, too, which were in the way of complying with the whole of the provisions of the Act entitled the societies to considerable indulgence. He understood that, on the part of his Majesty's Ministers, no opposition was intended to be made to his Motion: he should, therefore, content himself by moving for leave to bring in a Bill to amend the Act 10th George the 4th, cap. 56, by extending the time within which pre-existing friendly societies must conform to the provisions of that Act. It was extremely desirable that it should be understood, that all he had intended to propose was, simply an extension of the time allowed for the purpose of enrolment, and that those societies which had already complied with the provisions of the existing Act would not be liable to make any new enrolment of their articles. It was also extremely desirable that it should be well understood throughout the country, that such a measure was about to be passed, in order to allay that apprehension which so extensively prevailed, that the funds of those societies which were not enrolled, and whose funds were invested in the savings' banks, would become forfeited. This impression, he knew, was so strong in many places, that societies had actually withdrawn their money from the savings' banks, had divided it among their members, and dissolved their institutions. In Buckinghamshire, within a week, no less than five societies sold their stock out of the funds under the apprehension, so utterly unfounded, that their property would be lost. Having it distinctly understood that the proposition which he had the honour to make was simply an extension of time, he begged leave to move for leave to bring in a Bill to amend the Act of the 10th George 4th, cap. 56, relating to Friendly Societies.

Sir *Robert Peel* hoped that if any hon. Member had any further Amendment or alteration to propose in the law relating to friendly societies, he would take the opportunity which the discussion of the proposed Bill would afford. There had been so much legislation already upon the subject, that the minds of the public were quite unsettled, and he, therefore, trusted, that this would be the last Bill they should have, at least for some time, on the regulation of societies of that class.

Leave given, and Bill brought in and read a first time.

THE CHOLERA MORBUS.] Mr. *John Johnstone* moved for a Select Committee, to inquire into the disease called Cholera Morbus, with power to call witnesses, and to present an Address to his Majesty, praying for the removal of the Quarantine Laws, and other restrictions, which press upon the trade of the country. The hon. Member declared himself an anti-contagionist, and regretted the false notions which prevailed in the country on the subject. Considerable distress had been already occasioned to the commercial and manufacturing interests, by the enforcement of the Quarantine Laws, and the Cholera Morbus had made this country a bugbear to the whole world. He objected to the mode in which the London Board of Health was constituted. He thought there were too many medical men on the Board; and he should like to have seen it composed, as the Edinburgh Board was, of the principal noblemen and gentlemen of the country, as well as of medical men. The hon. Member concluded by proposing the Motion which he had already described; but there being no seconder, it, of course, fell to the ground.

SILK TRADE.] Mr Alderman *Waithman* moved, pursuant to notice, for an account of the drawback paid in each quarter, from 5th of January 1830, to 5th January 1832, upon the exportation of British manufactured silk goods; distinguishing the amount paid upon stuffs or ribbons of silk only, upon stuffs and ribbons of silk and cotton, and upon stuffs or ribbons of silk and worsted mixed, and distinguishing London from the other ports; also, a Return of all raw and waste silk imported, and entered for home consumption, in each year, from 1814 to 5th of January, 1832: distinguishing the importations from the East Indies, China, St. Helena, the Cape of Good Hope, and Turkey, from other parts, and stating separately, each year, the quantity of raw, thrown, and waste, including knubs and husks, and the amount of duty separately:—and of the amount, each year, of the importation of manufactured goods which were not prohibited, but upon which a reduction of duties took place, from 5th of January, 1826, to 5th of January, 1832; distinguishing those from the East Indies and China. He said, that it had been objected to a part of the Motion, that it would be improper to expose the private affairs of individuals. But that was an objection of no weight, as he had in his pocket the names of all the persons who imported those goods, and an account of the quantities imported by them.

Mr. *Spring Rice* objected to the last return, on the ground that no documents were in existence by which it could be made out. But, supposing it possible that such a return could be presented, he should oppose its production, because he did not think it fair to drag unnecessarily the private affairs of individuals before the House.

Mr. *Goulburn* concurred with the hon. Gentleman in thinking, that the return ought not to be granted.

Mr. *Dixon* could answer for the Scotch traders, who, he was sorry to say, had been much calumniated, that they were not afraid of having their names, and the amount of their importations published.

Mr. *Robinson* did not think it right that the names of parties importing foreign goods should be kept secret; and, if such was the desire of Government, they could not fail to be disappointed, because the Custom-house List, which every person might see, contained an account of the quantity of goods imported, and the names of the parties importing.

Mr. *Warburton* said, it was quite impossible to get at the names of the real owner of the goods imported. Great quantities were often imported in the name of brokers.

Mr. Alderman *Waithman* said, he held in his hand a list of ten principal importers of foreign silk goods, whose annual importation amounted to the value of 250,000*l.*; and among them there was but one broker, and he only imported to the value of 6,000*l.* The object he had in view in moving for the return was, to let the public know what amount of goods each house imported. He had often seen in a house which only imported to the value of 3,000*l.* or 4,000*l.*, foreign goods to the value of 20,000*l.* It was, therefore, plain, that smuggling to a considerable extent must be carried on. Indeed, it was considered so much a matter of course, that the right hon. the Vice President of the Board of Trade, in a brilliant speech which he delivered to his constituents at Dover, took occasion to commend them for the dexterity and intrepidity with which they carried on a system of smuggling; and the right hon. Gentleman's compliment was loudly cheered by his hearers.

Mr. *Poulett Thomson* begged to assure the House, that the statement which drew forth the applause of his constituents at Dover was not of the nature described by the worthy Alderman.

Mr. Alderman *Waithman* said, that he had no intention to misrepresent any statement of the right hon. Gentleman. He had seen the story in print; but, after the right hon. Gentleman's contradiction, he was, of course, bound to suppose that it was an invention of the "vile Press."

The Motion agreed to.

HOUSE OF LORDS,
Friday, *March* 16, 1832.

MINUTES.] Petitions presented. By the Earl of SEFTON, from 2,000 Inhabitants of Clerkenwell, for a Limitation of the Number of Hours of Employing Children in Factories:—By Lord KENYON, from the Inhabitants of Waterford, against the proposed System of Education for Ireland, and by Viscount LORTON, from the Inhabitants of Drumlease to the same effect:—By the Earl of RODEN, from nine Peers, and 4,100 of the Gentry, Clergy, and other Inhabitants of the County of Cork, against the Repeal of the Union, against the Reform Bill, and calling upon the House to support the Protestant Interest in Ireland:—By Lord KING, from the Freeholders, Landholders, and other Inhabitants of Donegore, Kilbride, Ballyeaston, and Nekeen, from the Reform Society, and other Inhabitants of Belfast, the Inhabitants of the Barony of Forth, Termonfechin, Clogher, and Mayne, for the Abolition of the Tithe System, and in favour of the New System of Education proposed for Ireland.

☞ REMEDIES AGAINST THE HUNDRED.] The Duke of *Richmond* moved the second reading of a short Bill brought in to amend the Act granting remedies in case of outrage against the Hundred. The Bill was introduced chiefly to supply the words "threshing machines," which were omitted inadvertently in Mr. Peel's Act.

Lord *Ellenborough* recommended that the whole of the law on this subject should be reviewed. He hoped the noble Duke would not confine himself to the correction of one error—the omission of the words "threshing machines"—but take the present very defective law into consideration.

Viscount *Melbourne* said, there was some misunderstanding on the subject. So far as he could say, the words alluded to were not left out by inadvertence.

The Earl of *Wicklow* said, the noble Duke and the noble Viscount were at utter variance in their account of the present Act; the one insisting that the words "threshing machines" were left out by inadvertence, while the other maintained that they were designedly omitted. As the noble Lords appeared to be so ignorant of the Bill, he hoped some noble Lord would move an amendment in the second stage.

The Duke of *Richmond* said, that the noble Earl was mistaken in supposing that he and his noble friend were at variance. He did not refer to any measure of the present Ministry, but to a Bill introduced by Mr. Peel, where the words referred to were inadvertently left out.

Lord *Ellenborough*, then, thought that it was full time to correct this inadvertence, and the sooner a bill was brought in to make perfect the whole Act, the better.

The Marquis of *Londonderry* said, that a revision of the law was most necessary. As the case now stood, any person, whose windows were demolished by a mob, had no remedy against the Hundred. He had suffered in that respect himself, and had consulted Counsel on the subject; but he was informed that he could have no remedy against the hundred, and he was compelled to put up with the demolition of his property. He submitted, therefore, as it was quite possible that riots might be again renewed, that the law should be altered, so that innocent parties might be enabled to obtain redress.

The Duke of *Wellington* said, that this question should not be taken up as affecting only persons in high stations; for people in the middling classes were just as liable to have their shop or house windows broken by a mob as richer individuals were. So far as he and his noble friend were concerned, they were able to get their windows repaired, if they were broken during the progress of a riot; but those persons who could not so well afford to bear the loss should not be left without a remedy. They and their property had a right to a specific and precise protection.

Viscount *Melbourne* said, he had no objection to extend the protection of the law to "threshing machines," though he believed they were not left out inadvertently in the former Bill. He would not propose any alteration of the principle of Sir Robert Peel's Bill, as he thought that the qualification of making the breaking felonious, as well as by violence, was necessary. He had great doubts of the prudence of giving an easy remedy against the Hundred, inasmuch as it tended to diminish the stimulus which every man should feel to protect his own property. He believed, if the idea had not prevailed, previous to a late occasion, that remedies against the Hundred were easily sustained, that more care would have been taken in not exposing windows to the violence of the mob.

Lord *Ellenborough* said, the noble Viscount made the necessity of protection being afforded more evident than ever. What he proposed tended to anything but the preservation of the public peace, and might lead to the loss of lives. He hoped the noble Lord would consider the subject well, and recollect, that outrages of this description proceeded from the most disgusting motives, and were committed by the most cowardly persons. If the noble Viscount was not induced to amend the law himself, he at least requested that he would give notice when the present Bill was to be committed, in order that other noble Lords might have the opportunity of considering whether it were desirable to propose remedies or not.

Viscount *Melbourne* said, he could not see in what manner the proposed Amendment would answer the purpose intended by the noble Baron. It could not tend to repress any tumult: it merely was calculated to provide, that those who lived in the district, and had no means of preventing the riot, yet were to be called upon to pay for whatever damage chanced to be done.

Bill read a second time.

ZEMINDAR OF NOZEED.] Lord *Ellenborough* asked the noble Lord at the head of the Administration, whether he had made up his mind as to the giving the consent of the Crown to the Bill before the House, relative to the claims of the Zemindar of Nozeed on the East-India Company?

Earl *Grey* replied, that he did not think that there was any occasion for the consent of the Crown in this case. The Bill had passed the Commons without any such consent having been given or called for there, and there was no occasion for it here. If there had been occasion for it, he should have been rather disposed to recommend its being given, on the principle that an opportunity should be afforded for a full and fair statement of the case. He had no objection to the noble Lord's Motion, that the Company should be heard by Counsel against it.

Lord *Ellenborough* was still of opinion, that the King's consent was needful. He thought that matters of such importance as were contained in this Bill should not be introduced in the shape of a private Bill. He begged leave to refer to "Hatsel's Precedents," to show that, according to a standing Order of the Commons, the consent of the Crown was required in cases of this kind. He hoped, however, the House would have no objection to hear the Counsel of the East-India-Company against the Bill, on its second reading; and he therefore moved, that they be heard on Wednesday next.

Earl *Grey* said, there would be no objection to hearing Counsel at the Bar against the second reading of the Bill: but, with regard to the other point, he believed that Hatsell referred to petitions from individuals praying for public money; and if the noble Lord thought that they should have a similar Standing Order in this House, he might move for it on another occasion.

Lord *Ellenborough* thought it highly expedient that there should be such an Order, but felt some hesitation in moving for it, without being pretty sure of a majority of their Lordships in its favour, lest there should be a decision against it. He had sat for some time at the Board of Control, and knew that there was a great deal of jobbing speculations of this kind, in order to get an undue advantage of the Company.

Lord *Teynham* objected to any undue protection being given to a rich Company against the claims of individuals.

Lord *Wharncliffe* suggested, that every case of this kind should rest on its own merits; and, as his noble friend had mentioned a system of jobbing, he wished to enter a *caveat* against that statement, operating as a prejudice against this particular claim.

Lord *Ellenborough* agreed in what his noble friend had said, and thanked him for the caution.

East India Company to be heard by Counsel against the Bill.

Pluralities.] Lord *Suffield* stated, that he had several amendments to propose in the Pluralities Bill, which stood for this evening. It was usual, in the other House of Parliament, to allow proposed amendments of this kind to be printed, so that they might come fully and fairly before the House in Committee, at the same time with the Bill. He should propose, therefore, that the committal of the Bill, which stood for to-night, should be postponed; and that the Amendments should be printed in the meantime.

Lord *Ellenborough* observed, that it was not according to the order of that House to have amendments printed before they were regularly proposed in the Committee.

Earl *Grey* said, the practice in the Commons, when amendments of a very material description were to be proposed, was, to commit the Bill *pro formâ*, and then to deliver in the amendments, on an understanding that they were to be printed without any motion being made to that effect, so as to come before the House in Committee at the same time with the Bill. But he did not understand that such was the order and practice of that House.

The Earl of *Eldon* said, that it was not the order of that House; and he should recommend that the usual course of business should be followed.

The Archbishop of *Canterbury* did not mean to impute to the noble Lord (Suffield) any want of courtesy, but he took him completely by surprise. He did not know what his Amendments were, but he could not consent to postpone the Committee. The Bill had been lost last Session, after having gone to the Commons. The present Session was considerably advanced, and he was apprehensive of further delay.

The Bishop of *London* did not think that the case called for the adoption of any unusual course. The noble Baron might propose his Amendments in the Committee, and then, if they should be thought worthy of further consideration, they might be printed; but he did not think that the committal of the Bill ought to be postponed.

Lord *Suffield* thought it his imperative duty to persist in endeavouring to have those Amendments printed; and, since his suggestion was not agreed to, he would, on Monday next, introduce a separate Bill, having for its object to effect that in reality, which the present Bill, as it stood, only professed to do.

Motion not pressed.

Belgian Affairs.] The Duke of *Wellington* rose, pursuant to notice, to call for certain documents, with a view to prove the inaccuracy of some statements in the late exposition of M. Perier, in the Chamber of Deputies, relative to the settlement of the affairs of Belgium after the late revolution. If these statements had appeared in the shape of ordinary newspaper representations or remarks, he should not have thought such a ground sufficient for giving their Lordships any trouble on the subject. But this was not an ordinary newspaper statement. It was an elaborate speech and exposition, delivered by the high authority of the French President of the Council, containing an account of the proceedings of the French and other governments relative to the settlement of the affairs of Belgium; and he felt himself bound to say, that in that exposition there were some erroneous, and even false, representations, in which the Government of this country was nearly concerned. He thought it due to the honour of the Government of his Majesty, and to that of the governments of his Allies, to address a few words to their Lordships on the subject, and to call for documents which would show whether the imputations of M. Perier were deserved or not. He would begin by calling their Lordships' attention to some passages of the speech on which he meant to comment; and the first was as follows:—

"The revolution of Belgium broke out at the close of September, 1830; but such was, at that moment, the general conviction of all persons as to the advantages of maintaining peace, and, consequently, the respect due to treaties, that no one, at first, thought of seizing that revolution as an advanced position against the European system, nor of making use of it as an arm, menacing alike peace and the treaties on which it is based. Perhaps the French government could then discover some embarrassment. But the rapid march of events, and the sympathies suddenly awakened in favour of Belgium, the considerations of neighbourhood, and the interests of frontiers, decided the government of the king to support the Belgian revolution, always by laying aside previously all idea of ambition, and, consequently avoiding all grounds of collision with the other powers. This was the means of rendering this protection efficacious to Belgium; it was an opportunity of explaining fairly to Europe the true spirit of the revolution of July in its exterior relations. France of July was about to establish her diplomacy; upon this first step depended the nature of her relations with the other governments and people; in this was comprehended her futurity of peace or war. Well, then, gentlemen, the conduct of government at that epoch, in affording a pacific but efficacious support to the Belgians, was approved of by the country, salutary for Belgium, and decisive for the system of peace. Let us not lose sight of this point of departure, since the policy of government has had a continual reference to it, and because it could not, at the present moment, be consistently reproached for its fidelity to principles which had been unanimously recognized. Such was the well-understood interest of the revolution of July, in its material as well as its moral relations; for if a war party had existed at that time, which—regardless of the horror of a revolution, whose moderation was its force—should have called for invasion and conquest, what could it have required, what would it have been able to accomplish, in the then military situation of France, after the dissolution of the royal guard, the dismissal of the Swiss, the division of our forces in Algiers and in Greece, and, lastly, the desertion organized by the spirit of party, and the employment of extraordinary troops in the west and south? The most declared advocates of war would then have been compelled to acknowledge (all other considerations out of the question) that the state of the army rendered this line of conduct absolutely necessary, even though a more enlightened policy had not pointed out the prudence of it. But, as it was, the government did not hesitate to declare, that it would regard as an act of hostility against itself the entry of foreign troops into Belgium. The promptitude of this declaration, and the firmness with which the established principle was defended, have been, I affirm without hesitation, the salvation of Belgium, and the foundation of her independence."

No man could read through that speech, nor, indeed, read any part of it, without seeing that, although M. Perier was, perhaps, deserving of the applause which was bestowed upon him, as being anxious to stay the revolutionary doctrines propagated by other French governments, yet it was calculated to promote that morbid desire of conquest and aggrandizement, which, for the last forty years, had been so characteristic a feature of the history of France. There could be no other inference drawn from it; and the disclaimer of the noble Earl of all design, on the part of France, to violate peace, could not weaken its impression, strengthened as it was by the passage which was intended as an apology for the expedition to Ancona, and still more by the tone in which M. Perier spoke of the close union between the French and English Governments. That union was spoken of as a matter of "necessity" to England, as a mere question of "efficacy" to France; and that, too, in the teeth of the emphatic language of the noble Earl opposite, as to the mutual conviction of the two nations of the necessity of this friendly understanding. Now, he entertained as strong an opinion as the noble Earl himself of the advantages, nay, necessity, of a close union between the English and French governments, in order to maintain the general peace; but this conviction was second to his anxiety to preserve the honour and interests of England untarnished. While he told the noble Earl that his anxiety for a good understanding between the two countries was second only to his anxiety for the honour of the King's Government, he would also tell him that if he hoped to preserve the peace of Europe by the cordial co-operation of France, he must not unite himself to that country singly, but in participation with the other great Powers of the continent. Let him take warning and counsel from the Ancona affair, which was but a comparatively trifling instance of a spirit evinced more and more by the events of every day, which was pregnant with disadvantage, if not dishonour, to this country. When he said that M. Perier's speech tended to promote the morbid desire of the French for conquest and aggrandizement, he begged it clearly to be understood that no man was more anxious than he was to promote peace and union between France and England—that no man entertained a higher estimate of the immense resources, whether for peace or war, of the French people—that no man thought higher of their ability to avail themselves of their immense resources—that, in a word, no man was more ready to testify to the fact, that perhaps no nation on the earth excelled, if, indeed, it equalled, France, in the possession of those virtues, talents, and resources, which were calculated to render a people truly great and prosperous at home, and formidable and respected abroad. In these qualities, he repeated, France was, perhaps, more favoured than any other country on the earth: but because she was so, he thought it the more bounden duty of an English Minister to preserve with jealous care the honour and interests of this country from French encroachment. Having made these general observations to prevent misunderstanding as to the motives with which he brought forward his Motion, he would at once proceed to call their attention to the objectionable paragraph of M. Perier's speech which he had just read to them. He had stated that from that speech it would appear that the revolution of Belgium was the work of the French government. A simple statement of facts would show that this was not the case. The revolution of France occurred, as they all knew, in July, 1830. As soon as its consequence was duly announced to the British Government, of which he was then a member, no time was lost in recognizing Louis Phillippe as king of the French—that is, in recognizing the principle of the revolution, and of preserving the friendly understanding between the two countries entire. The change of the dynasty was fully and promptly acknowledged, and Louis Phillippe was admitted fully into all the treaties in force between the two countries, as also a party to all the treaties between this country and the other States of Europe. England took the lead among the other Powers in recommending the adoption of this friendly policy, and under the auspices of this Government, the French government of Louis Phillippe was recognized as a party to every existing obligation. This was important to bear in mind, for Louis Phillippe being admitted a party to these treaties, was necessarily bound by them; so that if, by his subsequent conduct, it appeared that there was any departure from their provisions, it followed that he had violated the terms on which his sovereignty was recognized. Now, he contended, that if M. Perier's version of the conduct of the French government with respect to Belgium were the true one, Louis Phillippe had violated a condition of his recognition; for among the treaties to which he was admitted, and by which he was bound, was one preserving the integrity of the kingdom of the Netherlands. He need hardly remind them, that by the Treaty of Peace of 1814, Belgium was made over to the king of Holland, and he need hardly remind them also that the king of France was an important party to that treaty. The man, therefore, who represented the king of the French as "encouraging and promoting" the Revolution of Belgium represented that monarch as a violator of a solemn compact. He admitted that the king of the French had not violated that compact; but he appealed to their Lordships whether the statement which he had read did not in so many words represent him to have broken it. He repeated that the words of M. Perier were neither more nor less than a charge against his master of having violated a treaty to which he was a party; but he again repeated, that the error was M. Perier's only. The papers for which he would move, would place this beyond a doubt, for they would make it evident that from the first moment of the breaking out of the Belgian Revolution in August, 1830, to the last moment of his quitting office, the French government had faithfully observed the treaty to which the five great Powers were parties, and which amalgamated Holland and Belgium, and that it had, in fact, acted the very reverse of what M. Perier had represented. One of these papers would show that the French Foreign Secretary had, at the very outset, disclaimed all interference with the affairs of Belgium; so far from interfering or promoting the Belgian Revolution, the French government, on three different occasions, voluntarily, without the remotest solicitation on the part of the British Government, declared their willingness to co-operate in preventing its consequences. First, when the Prince of Orange entered Brussels; they repeated their declaration when that prince left that place; and, last of all, when Prince Frederick made that attack on Brussels, in which he unfortunately failed. Indeed, the French government of the time rendered itself obnoxious to the *mouvement* party by their conduct towards their brother revolutionists in the Netherlands, and, in the words of M. Perier, felt itself consequently much embarrassed. Nor was this all. The French government not only did not encourage the Belgian Revolution, but zealously offered to co-operate with the other Powers in preventing the separation of Belgium from the sovereignty of the House of Orange. It expressed its anxiety to devise some means or another by which Belgium could be restored to the king of Holland, and was among the last of the parties to the Treaty of 1814, to despair of being able to effect that object. He spoke confidently on this head, having been then himself in office; and he had reason to know, that even after he had left office, the French government had expressed to the British Minister its anxiety to attempt again the restoration of the sovereignty of the House of Orange. There was to this effect a letter, of which the noble Earl and the French Ambassador could not be ignorant, written as well as he recollected, in the month of February. Without it, however, there were sufficient documents to prove that the allegations of M. Perier were wholly unfounded, and that France, so far from encouraging the Belgian Revolution, had done its utmost to avert its consequences. He was aware that the independence of Belgium was assumed as a preliminary condition, under the Conferences held for the settlement of the affairs of the Netherlands, under the direction of his noble friend (the Earl of Aberdeen) who was then Secretary of State for Foreign Affairs; but this was not until the failure of Prince Frederick's attack on Brussels had demonstrated the impossibility of preserving the union of Belgium and Holland. It was true—and this was the only transaction which could afford the slightest colouring to M. Perier's statement—that at that Conference the French Ambassador represented his government as opposed to all foreign interference by means of force, in the settlement of the Belgian question; and it was also true, that this communication was made before a despatch from the Hague requested our military aid to effect the reconquest of the Belgian provinces by the king of the Netherlands. That aid the British Government at once refused, convinced that the peace of Europe could not be preserved, if other nations interfered with arms in the affairs of Belgium. But, in stating this, he most distinctly denied the assumption of M. Perier—namely, that other nations had evinced an intention of interfering by force. The British Government had no such intention, nor had any of the other Powers; and he would add, that the French Government knew that such was the fact. There was another circumstance which he considered very material in reference to these transactions, and one which, in a remarkable degree, evinced the feeling of the French government throughout the transaction—namely, that the French Minister admitted at once that Luxembourg stood on a different footing, inasmuch as it was part of the German Confederation; and while he objected to the sending of troops into Belgium, he did not resist the despatch of an expedition to Luxembourg, should it be deemed necessary. It was known that the restoration of the House of Orange by a military force was impracticable, after the Dutch troops had been driven from Brussels. With these facts before their Lordships, he thought they must be of opinion that this was a case into which Parliament ought to inquire, by calling for the production of papers; and as a precedent for his Motion, he begged to refer the noble Earl to a proceeding of the same kind, in which he was himself concerned, when he procured the production of a document to set right the conduct of this country in relation to a passage in the speech of the king of the French. He only required that that precedent should be followed in the present instance. He trusted he had succeeded in making evident to their Lordships the positions for which he had been contending—namely, that the existing government of France was bound by the treaties into which former governments had entered: that under the influence of such a consideration, the king of the French had, during the time he had specified, avoided any encouragement of the Belgian Revolution, and that the conduct of the then Government of this country was in perfect conformity with the principles it professed. For the better and more indisputable establishment of these truths, he hoped the noble Earl would agree to the production of the papers which he now wished to be produced; he would move, "That an humble Address be presented to his Majesty, to request his Majesty to give directions that the following papers may be laid before this House:—

"Copies or Extracts of the following despatches from the Earl of Aberdeen to Lord Stuart de Rothsay, G.C.B., his Majesty's Ambassador at Paris:—

Dated Sept. 5, 1830.	No. 50	
.. 28	53,	with the inclosures.
Oct. 3	55	

..	15	58
..	22	61, with 4 inclosures.
..	22	62
..	24	63
..	26	65, with2 inclosures.”

“Copies or Extracts of the following despatches from Lord Stuart de Rothsay, G.C.B., to the Earl of Aberdeen :—

Dated Aug.	30, 1830	No. 456
..	31	462
Sept.	3	467, extract.
..	6	476
..	10	486
..	13	482
..	17	497, extract.
..	20	508
..	24	518
Oct.	1	527
..	4	533
..	8	540
..	11	545
..	15	552, extract.
..	19	566
..	25	576
..	25	579
..	25	580, extract.
..	29	583
Nov.	6	609
..	8	612
..	8	613”

Earl *Grey* trusted that his objecting to the Motion of the noble Duke would not lead to the conclusion to which the noble Duke's observations tended,—namely, that the honour and interests of the country had been compromised by the statement of the French minister. He did not object to the statement which the noble Duke had made of the conduct of his Administration with respect to the settlement of Belgium,—on the contrary, he did not hesitate to bear his testimony in confirmation of it; and he trusted that the correctness of that statement being thus admitted by him, the noble Duke would not press his Motion, as the papers to which he had referred could not be produced at this moment without detriment to the public service. He had heard much of the noble Duke's speech with satisfaction, and to the principle laid down by the noble Duke as that which should regulate the general policy of this country towards France, he gave his ready assent. The noble Duke had acknowledged the necessity of a good understanding between the two countries to the preservation of the peace of Europe. He entirely concurred with him, and he also agreed with him that that good understandiug should ever be strictly consistent with the honour and interest of this country. It had been his (Earl Grey's) language on many occasions in that House, that the first object of an English Minister was the careful guardianship of the hopes and interests of England, and in repeating that sentiment then, he would add, that it was on it he based the necessity of a close union between France and this country. If it could be shown that his official conduct at all compromised the honour and interests of the country, he would (but not till then) acknowledge himself obnoxious to the censure of Parliament and the public. He was confident that such was not the case, and that the warnings of the noble Duke—which he received in good part—were unnecessary. The noble Duke warned him against the consequences of attempting to preserve the peace of Europe by a separate union with France. He agreed with the noble Duke, and had only to observe, that all the other powers of Europe were parties and participators in the friendly understanding between the English and French Governments. With respect to the specific ground on which the noble Duke had founded his Motion, he begged leave to remind the noble Duke, that, while he admitted with him the high authority of M. Perier, and the consequent importance of his views and opinions on political transactions affecting the peace of Europe, it was irregular to found any Motion on any alleged statement of those views and opinions which might appear in the public prints, and which had not been officially communicated to the King's Government. If every statement made in either Chamber were thus to be adopted as the ground of a discussion on its subject matter, it was evident that great inconvenience, if not actually unpleasant consequences, must be the result. The probable accuracy or inaccuracy of the alleged report formed no part of the question. The noble Duke had indulged in some severe remarks on a newspaper version of M. Perier's sentiments. He could not be expected to follow the noble Duke, for, supposing that he entirely agreed with the noble Duke as to the justice of his censures, he stood in that singular position relative to M. Perier, that he could not, consistently with courtesy and the usages of office, indulge in harsh comments. But he would admit to the noble Duke, that a careful examination of the correspondence to which he had referred warranted the noble Duke's interpretation of the actual conduct of the French government with reference to Belgium; and, as a consequence, he would admit that the interpretation of M. Perier was not correct. This was delicate ground, and he would not trench further upon it, the rather as he had no official reason to presume that the sentiments attributed to M. Perier in a newspaper speech were those of the French government. If the French government declared that it had provoked and encouraged the Belgian revolution, there could be no doubt that the noble Duke's' inference was unanswerable, namely, that, in doing so, the French government had violated a solemn treaty. But he doubted whether the words attributed to M. Perier warranted such an interpretation, and he was inclined to believe that all the speaker meant was, that the French government had acted on the principle of preventing the armed interference of other powers. Be that as it might, he implicitly subscribed to the statement of facts given by the noble Duke. The French government, as the noble Duke had stated, so far from encouraging the Belgian revolution, had expressly disclaimed all interference in it, and had co-operated with the other powers in endeavouring to effect a re-union of Holland and Belgium. The conduct of the British Government at the time—if it was not presumption in him to offer his testimony to the noble Duke,—was entitled to his fullest approbation. The noble Duke could not be more anxious than he was to disclaim interference on the part, not only of this country but of France, in exciting the Belgian revolution, and in denying that any statement on the part of the French government to the other powers was a threat against an intended interference by force on their part. No such interference was intended—no such threat was therefore warranted. Throughout the whole of the correspondence, although a strong dislike of foreign interference had been expressed, there had been nothing which would warrant the term "menace" being applied to any part of the conduct of the British Government. Under these circumstances, and having thus done justice to the course which had been pursued, he trusted that some alteration would be made in the Motion of the noble Duke with respect to the papers he had moved for. In addition to this, he must observe, that the statement of the French minister had been extremely general, and that it went solely to this—that the prompt and energetic interposition of the French government had effectually prevented any thing like foreign interference. It would be admitted, he thought, that if there had been a war in Belgium, it would have been scarcely possible for France to avoid becoming a party in it. He would then put this case merely hypothetically—namely, it might have been possible that representations had been made to other powers on the continent of the impossibility which the French government felt themselves under of remaining indifferent, in case of the occupation of Belgium by any one of these powers, and that this representation might have been attended with the effect stated by the French minister. He put this case totally as a hypothetic one, but also as one which, if correct, would be an additional argument against the necessity of the present Motion, as the declaration of the French minister, if intended against this country particularly, was not such as could be so understood in any assembly. Were this Motion, then, to be persevered in, it was probable that still further disclosures would be required with respect to other powers. With regard to the particular papers required by the noble Duke, he, in consequence of the noble Duke's application, had looked through the whole of the papers connected with this correspondence, and he would repeat, that the noble Duke was borne out by that correspondence in his statement of every thing which had occurred while he was at the head of his Majesty's Government. He hoped that this would satisfy the noble Duke; but, besides this, he must say, that, in the production of these papers there was much to create danger, and he (Earl Grey) was also sure that there were many papers amongst them which the noble Duke would not desire to see made public. In fact, this was proved by the noble Duke's not asking for all the papers, but, instead of them desiring extracts, thereby admitting that there were some which ought not to be made public. Some of them affected individuals, whose names or whose conduct could not be touched upon. Furthermore, although the Motion was only directed to what had occurred during the period the noble Duke had been in office, it should be borne in mind that what had taken place then, was only the commencement of a long and arduous course of negotiation, which had not as yet been brought to a conclusion, and with respect to which, under all the circumstances, no disclosures could with safety be made; nor, indeed, had any Government, in any similar case, been ever called upon to make disclosures. These were shortly his reasons for not wishing to accede to the present Motion. But the noble Duke had said, that he (Earl Grey) had adopted a similar course on the occasion of the speech of the king of the French, by coming down with a statement of what had occurred. Upon that occasion, he (Earl Grey) had taken his Majesty's pleasure, and had laid before the House the convention which had been entered into, and the protocols of the Plenipotentiaries. That, however, was a case totally different from the present. The speech was not that of a minister in one of the Chambers, but an authentic document, being the speech of the French king from the throne, and made not merely to France, but to all Europe. On that occasion, he (Earl Grey) had thought it fitting that such a statement so made should be set right in the eye of the public. That also referred but to one circumstance, whereas the present Motion had reference to a detailed correspondence which it would be inconvenient to lay before the public. He would also say, that this speech of the French minister did not need such a Motion as the present, and there was a precedent in his (Earl Grey's) own conduct which would show how he had acted. For instance, a statement had been made by a French minister, in the Chamber of Deputies, of what he (Earl Grey) had said in that House, which was in direct contradiction of what he actually did say. This alone ought to be a proof of the inconvenience of resorting to such motions as the present. He had said in that House, in the course of his speech, that it would have been the desire of this country to replace the House of Orange on the throne of Belgium, as being most conducive at the time to the peace of Europe. But he (Earl Grey) did not feel it necessary, on account of the misrepresentation in the Chamber of Deputies, to come down and make it the subject of a motion or even an explanation. He had done this too, on the authority of the noble Duke himself, when a noble Earl (Earl Vane) at the Table had attacked him in his usual strain, with reference to some expressions used by General Sebastiani. The noble Duke had then supported him, (Earl Grey) by saying, that reference should never be made to speeches, but to authentic documents, by which alone governments were to be judged. The noble Duke, then, he thought, might be satisfied with this acknowledgment, and he might be sure that the character of his Government was maintained, as there was now the distinct declaration that no armed intervention, or other proceeding, inconsistent with professions of non-interference, had been projected by the Government of this country during the noble Duke's Government. Having said thus much, he trusted that the noble Duke would not feel it necessary to press his Motion any further.

The Duke of *Wellington* said, that if he were not satisfied, which he was, he assured the noble Earl that his declaration that to produce these papers would be inconvenient to his Majesty's Government, would alone be enough to induce him to withdraw his Motion, and he would, therefore, with the leave of the House, do so. At the same time he must address a few words to the House. It was certainly true, that the speech to which he had alluded, was but the speech of a minister in one of the chambers, but it was also true, that it had appeared in a manner and in a shape in which no speech of any Minister of this country had ever before been circulated. When the noble Earl had come down with the documents respecting the French king's speech, it was true he had done so by the King's command, but there was also another answer to that speech in a letter written by the Prince of Orange, on his leaving this country in the month of January. Having said thus much as to the documents, he would now say one word as to any threat having been held out in any quarter. On looking over all the correspondence of the time, it would be seen that this Government had been not only on terms of friendship with the French ministry, but also with the ministers of all the Allies in Europe; and if there had been any intention hostile to France, or any jealousy felt in France of such an intention, the Government here must have known it. But he (the Duke of Wellington) had no recollection of any intention on the part of any of the Powers to interfere in the Belgian revolution, or of any intention, or intimation of an intention, on the part of France, to resist them. He would only add, that he was pleased at what had taken place during the discussion, and he begged leave to withdraw his Motion.

PLURALITIES BILL.] The Archbishop of *Canterbury* moved, that their Lordships should go into Committee on the Pluralities Bill.

Lord *Suffield* observed, that there were several points of this Bill to which he entertained objections. He did not wish to see the privilege taken away which the chaplaincy to the peerage conferred, and which he knew to be useful in many respects. He thought the Bill would be a great injury to individual rights, and would be no benefit to the Church. He thought it would not be a benefit to the poorer clergy, nor would it be so destructive of pluralities as it was generally believed. The Bill, in his opinion, did not do what it professed to do, and it did that which it ought not to do, so that he could call it (and he used the expression without the slightest wish to offend the most reverend Prelate) nothing but the grossest delusion. It was far from his wish to attribute to the most reverend Prelate the desire to render it so. Who were the advisers of the most reverend Prelate who had framed the Bill he could not possibly tell, but certainly they had led the most reverend Prelate into producing what, he must repeat, appeared to him a gross delusion. The provision against the power of the Bishop of Norwich to erect small pluralities was highly objectionable, because in that diocess most of the parishes did not exceed 1,000 acres, and did not produce more than from 80*l.* to 100*l.* a year; and the churches were so close, that a clergyman could with ease officiate in more than one, and thus obtain what would be a decent provision. No man was more friendly to the Church than he was, and church property, he conceived, ought to be preserved and devoted to religious purposes. But this Bill passed over the abuse of the union of large livings, while it limited that of small ones. The principle on which he wished to go, was that of value, and he would give to the Archbishop of Canterbury, as head of the church, and to the other Bishops, particularly to the Bishop of Norwich, large discretionary powers, as to the granting of pluralities; but he would restrain all these pluralities within certain limits as to the exercise of their power. He would not allow them to grant pluralities of a greater amount than 300*l.* a year, but he would have a strict return of all higher benefices. He did not make these observations in hostility to the Church, for he was one of its most zealous friends.

The Earl of *Eldon* said, that the Bill was of an important character, and he was extremely desirous of stating his opinions upon it; it contained many provisions which were very objectionable. These might perhaps be obviated in the Committee, and he would therefore wish for time, in order to the full understanding of the measure. He hoped there would be no objection to postpone the Committee for two or three days, as he had been in that House on judicial matters since ten that morning, and he was not capable now of entering upon the Bill.

Lord *Holland* was surprised to hear the request of the noble and learned Lord, for the last time the subject was under discussion, he declared he would take no more cognizance of it, but leave the Church to take care of itself; and now the noble and learned Lord asked for two or three days, because he could not attend the Committee that evening.

The Earl of *Eldon* did not object to the noble Lord's wit at his expense, as he was happy to find the noble Lord would, upon any terms, recognize so humble a being as himself in that House.

The Archbishop of *Canterbury* said, that he stood in a very difficult situation, for on the one hand he had the highest authority for doing what he did, while on the other he was told that his Bill was a gross delusion. That assertion threw discredit on the author of the Bill. At least it threw discredit on his understanding, that he should adopt the labours of men who only wished to practice a gross delusion. It was said that the Bill would operate badly upon the interests of the poorer clergy, and particularly on the poorer clergy of the diocese of Norwich. The noble Lord was mistaken as to the intentions and provisions of the Bill, with regard to the clergy of Norwich. The Bishop of that diocese, had with pleasure given up his right, and expressed his satisfaction at the provisions of the Bill, while the noble Lord (Lord Suffield) held an opinion quite the reverse. He had not heard any of the noble Lord's objections before to night, and he did not precisely comprehend them now. The noble Lord's observations were a little confused on this subject; and as he did not enter into any particulars of the plan he wished to propose, it was impossible to answer his objections. Whatever course noble Lords might desire to pursue, in order to discuss this measure, he should be prepared to agree to. It was his (the Archbishop's) wish to hear every objection that might be entertained, and his desire was, consistently with the rules of the House, to afford an opportunity for this being done. He apprehended, the Committee was the best stage for the purpose, and intended himself to propose one or two Amendments, and afterwards a day might be fixed for the discussion of the whole subject.

Lord *Suffield* said, that if he had fallen into any confusion, it was owing to the want of ability, and not inclination. He should at a future stage endeavour to make his objections intelligible to their Lordships. His wish was to go into Committee to have the whole subject discussed.

The Bishop of *London* rose merely for the purpose of correcting an erroneous impression which had gone abroad, that the holders of small benefices would be injured by the Bill. In his opinion it would have the contrary effect; inasmuch as it would enable the poor clergyman to hold two livings without a dispensation, the expense of procuring which was now considerable. At the same time he must say, that he felt some objections to the Bill, but these might be obviated in Committee. He did not think that the noble Lord ought to be censured for his objections, for when noble Lords suggested objections of this sort, it should be taken for granted that they did so for the advantage of the Church. He gave the noble Lord the credit of having done so in the present instance. He only regretted that an earlier opportunity had not been taken to state these objections, so that they might be discussed in time to allow the Bill to pass in the present Session; for if a measure of this kind was brought in—was suffered to be several weeks before the House—but was not passed through Parliament, and that course was pursued from year to year, the public would believe that they were in a conspiracy to defeat the real intention of the Bill, which was to restrain, if not to abolish, pluralities of benefices.

Lord *Ellenborough* thought, that in justice to the right reverend Prelate, who had taken so much trouble with this Bill, some day ought to be fixed upon when it might be brought forward for discussion, and he hoped their Lordships would fix the day, and that there should be no disappointment.

Lord *King* agreed with his noble friend, that the standard of value ought to be taken in preference to the standard of distance, so that two or more rich livings should not be held together by the same individual. For instance, Stanhope and Winwick, in Lincolnshire, of 7,000*l.* a year, might both be held under this Bill, as in fact they were at present. If the standard of distance alone were taken, a clergyman who looked to a private patron might be utterly unable to obtain two livings from that patron, whose estates might lie scattered all over the country, while a clergyman who looked to the patronage of the Bishops would be sure to obtain that advantage, as almost all the patronage of a Bishop lay within the limits of his own diocese, and both these livings, if the standard of value was not adopted, might be rich livings.

The Archbishop of *Canterbury* begged to be permitted to say one word as to the possibility of holding large livings under this Bill. The noble Lord who had spoken of this had made no allusion to the power vested in the Archbishop of Canterbury, who under the Bill was to have the power of giving a dispensation, or a licence for the holding of more than one living. By the Bill his powers, hitherto doubtful, would be settled; and when he accepted this power under the Bill, he did so under a responsibility, which it was not at all likely he would violate.

Lord *Suffield* meant no discourtesy, nor had he an opportunity before to-night of stating his sentiments respecting this measure; but unless the standard of value were adopted, it would be quite possible under this Bill for the same person to hold the Bishopric of Winchester, the Deanery of Durham, the Rectory of Stanhope, and the Rectory of Winwick, the richest living in England.

Lord *Kenyon* said, that with all due deference and respect for the right rev. Prelate he must object to the discretion which was given by this Bill to him in respect of the dispensing power. What he anxiously wished for was, that a better provision should be made for the poorer clergy, who were laborious and exemplary characters. At the same time he must express his surprise at the eagerness displayed by the right rev. Prelate opposite (the Bishop of London) in supporting a measure of this description, which went to prevent in future others from holding pluralities, when he had himself held at the same time a large living in London, and another in a distant part of the country.

The Archbishop of *Canterbury* said, he regretted that his noble friend who had just spoken had fallen into the error of thinking that this Bill would not improve the condition of the poorer clergy, but he regretted still more the allusion to his right rev. friend, which he thought was most ungenerous. He could take upon himself to say, from personal observation, that if the duties of all the pluralities of England were as well performed as the two parishes alluded to, there could be no objection made as to pluralities.

Lord *Kenyon* wished to explain. He did not mean to assert that the discretion vested in the Archbishop of Canterbury would be abused. Nothing was further from his intention than to question the manner in which the duties of the two parishes had been performed whilst the right rev. Prelate had been the incumbent. He, however, thought it strange that the right rev. Prelate (the Bishop of London) should now be so eager to prevent the union of small livings, when he recollected that the right rev. Prelate had himself been the possessor of a large union.

The Bishop of *London* said, that before he had accepted the Rectory of Bishopsgate, he had laid out more upon the Rectory of Chesterford than would have purchased the advowson of it. He had kept one curate at that parish, and had two in his London parish, whether he was in town or not. Under these circumstances, he had not had much scruple of conscience in accepting both livings; but even if he had been wrong, that did not afford a reason why he should wish the same erroneous system to be continued. He was in favour of the present Bill, because it was a step towards the restraint of pluralities, and because the line it adopted was in conformity with the ancient canons of the Church. He could not conceive upon what ground he was charged with an eager support of this Bill; as yet he had not shown any, and what hereafter he might manifest, must necessarily be disinterested, as the Bill went to limit his own patronage. He begged at the same time to observe, that the number of episcopal was very small, compared with the number of lay pluralists.

Bill committed *pro forma*, to be recommitted on a future day.

HOUSE OF COMMONS,

Friday, March 16, 1832.

MINUTES.] Bills brought in. By Mr. SPRING RICE, to continue, for a time to be limited, an Act of the 54th of King George 3rd, for rendering the Payment of Creditors more equal and expeditious in Scotland:—By Mr. CRAMPTON, to effectuate the Service of Process issuing from the Courts of Chancery, and Exchequer in England and Ireland respectively.

Returns ordered. On the Motion of Mr. MAURICE O'CONNELL, Copies of the Orders in Council of 20th February and 5th March, 1831, for the Administration of Justice in British Guiana, Trinidad and St. Lucia.

Petitions presented. By Mr. CALLAGHAN, from certain Solicitors of Cork, in favour of the Equity Process, Ireland Bill:—By Mr. LAMB, from the Inhabitants of Dungarvon, for the Repeal of all Tolls on the line of Road from Waterford to Cork:—By Mr. HEYWOOD, from 735 Operatives at Salford, and Persons employed in Mills at Stafford, against the Bill for Limiting the Hours of Labour of Children employed in Factories.

EDUCATION (IRELAND.)] Mr. *Shaw* rose to present a Petition from the county of Cork, signed by upwards of 4,000 of the Nobility, Gentry, and all the most influential men in the county, against the proposed system of Education in Ireland. He also held in his hand three other petitions of the same character, one of them signed by one Archbishop, seventeen Bishops and above 13,000 of the most respectable Protestant Clergy and laymen of every denomination in Ireland. He was prepared to contend that the right hon. Secretary and the Solicitor General had misunderstood the opposition of the petitioners to this measure. It was stated, by those hon. Gentlemen, that they opposed the use of extracts from the Bible in schools. This was not the case; they did not object to the use of extracts as extracts, but they would not consent to their substitution for the whole. The allegation of the petitioners was, that "the substitution of any part for the entire Word of God was, in their judgment, inconsistent with their principles and obligations as Christians and Protestants;" and this was at once the answer to all the arguments of the other side, founded upon the Reports of former Commissions, composed of any of the friends of scriptural education—that though they might admit of extracts, they never for a moment contemplated their substitution for the whole Bible; they had no objection to extracts joined with other books of religious, moral, and literary instruction being, as it were, a part of the superstructure of education, but they would resolutely maintain that its foundation must be laid in the pure, the simple, the entire Word of God. The proof that this was no fanciful distinction was, that what the right hon. Secretary, in his official letter, designated "the vital defect of the former system," and announced as the ground on which parliamentary aid was withdrawn from the Society was, that the Bible was required to be admitted into the schools, and the point of distinction, which he relied upon as the essential excellence of his own system, was, that the Bible should be excluded. Again it was said, that the opponents of this measure charged the Government with having had for their object to deprive the children of Protestants of the Bible. He never heard imputed to the professors of any religion, or to those who professed no religion, with the exception of the Roman Catholic persuasion, that they were anxious to keep the Bible from the people; and he rejoiced to think that the time had come when that doctrine could not justly be attributed even to all Roman Catholics, inasmuch as a large proportion of their laity would not longer submit to the spiritual bondage of being deprived of that gift, the dearest birthright of all Christian men. The Government was not charged with the desire of taking away the Bible, but with being indifferent as to whether or not that should be the result of their measure. The Ministers were willing to sacrifice that which should be the principle of every Protestant and Christian Government to a low expediency, hoping to satisfy the unreasonable clamour of one party, and greatly miscalculating the feelings of the other. The great mistake of the Ministers was as he had heard it said, that "they measured the Protestantism of Great Britain by their own." It was this fatal course of his Majesty's Ministers which justified the expression he had used elsewhere, though it had been cavilled at in the House; that the same principles which bound them to "obey their rulers in all things lawful" would also induce them, when a sense of paramount duty obliged them, to oppose them even though only to oppose them lawfully. There was but one quality in the whole system proposed, which he could regard with satisfaction, and that was, that it carried within itself the seeds of its own destruction. The right hon. Gentleman called it but an experiment, and it had already failed: in the proof of this, he (Mr. Shaw) need only refer to two points in the right hon. Gentleman's letter—the first, in which he stated that the object of the Government was to promote a "combined" education—the second, that the Board would invariably require as a condition not to be departed from, that local funds should be raised, upon which any aid from the public would be dependent. Without inquiring whether the opponents of the plan were right or wrong, must it not be plain, even to Ministers themselves, that in these two respects the plan must fail? Could they expect a united education, when the Protestants of Ireland were nearly unanimous in their opposition to the scheme, or that local funds would be raised to support a system against which at least nineteen-twentieths of those who had heretofore contributed local funds for the purposes of the education of the poor, had already protested? Of the Irish Bishops seventeen had recorded their opinions against it, and not one in its favour, except that distinguished Prelate, who was nominated a Member of the Board, of whom, personally, he desired to speak with every respect, whose silent acquiescence might almost be accounted for on personal grounds. The Presbyterian member of the new Commission was the solitary exception to the determined opposition of the whole Synod of Ulster, and not one Protestant minister of religion in Ireland had raised his voice in support of the Government plan, save those whom the Government themselves had selected to put in the enviable situation of being opposed to all the friends with whom they had hitherto been in the habit of co-operating. He denied that there was anything political in the character of the opposition made to this heterogeneous system: witness the two noble Lords opposite (Lord Sandon and Lord Robert Grosvenor), supporters of his Majesty's Government, who were on that night charged with the presentation of petitions similar in their prayer to those he had presented. He would appeal to the members for the county of Cork, who sat on the same side of the House, whether, in that county, this question had not united persons who on no political subject were ever found to agree; and he would unhesitatingly declare that, among 200,000 signatures attached to petitions which he had now submitted to the consideration of the House, there would be found Protestants of all denominations, and persons of all political parties, having united upon this occasion, on no ground of worldly policy, but, in their own words, "desiring to express a dutiful submission, as Christians, to all measures of merely temporal interest, which the wisdom of the Legislature might adopt; but, feeling that when any measures were proposed directly at variance with the principles of their religion and their duty to their God, they were bound by an authority superior to all human wisdom, and all human power, not to acquiesce in them."

Sir *Robert Inglis* said, he might, perhaps be allowed to call the attention of the House to the petition of the Archbishop, Bishops, Protestant clergy, and Protestant laymen of Ireland, which had just been presented by the hon. and learned member for Dublin; and the very importance of the subject which it embraced, he should have thought would have commanded the fullest attendance of hon. Members. He did not complain of no Member of his Majesty's Cabinet being present; but seeing the hon. and learned Gentleman in his place, who was the Representative of his Majesty's Government, so far as Ireland was concerned, he certainly wished to call his serious attention to the prayer of these petitions of the clergy of Ireland which had just been laid on the Table, because he felt that he (Mr. Crampton) was the person whom the House had a right to look to for some information upon the subject now before them. As a general principle, he objected to entering into discussions upon the presentations of petitions; but he regarded this as a case not only deserving of an exception from the general rule, but as one which demanded the immediate attention of the House; for he apprehended that, if at any time, and upon any subject, it were fitting that the discussion should be taken upon this great question, it was then. It was more especially requisite that this should be done, when it was remembered that his hon. and learned friend gave notice of his intention to present these petitions some time since, and that that notice had been renewed from day to day for a considerable period. There were circumstances which induced him to occupy the House for a very short time, and there was one point particularly to which he meant to refer, and upon which no answer whatever had been received. It had been alleged as the great objection to the plan of education recently introduced into Ireland, that the Bible was excluded from the schools. This objection had, on the other hand, been met by a denial on the part of those who supported the present system. He would ask the hon. and learned Gentleman opposite, if, upon any of the four days devoted to the general education of the children, any boy, or master, or teacher should introduce the Bible into the school, whether such a circumstance would not be considered as a violation of the rules of the school, and, consequently, involve the individual in an offence against the principle upon which the schools were established? The hon. and learned Gentleman expressed his dissent significantly, though not by words; therefore he would, perhaps, state how far the Bible might be introduced into the schools by any master, whether he were an Episcopalian, a Roman Catholic, or a Presbyterian, without its being a violation of the rules of the schools. There was a second point, with respect to the general question, the consideration of which he should reserve for another opportunity, as he did not see the right hon. Gentleman the Secretary for Ireland in his place: it was this (and he wished to call the attention of the House to the matter)—it was maintained by many persons that the Bible was not excluded; allowing this for the sake of argument. But for whom was the exclusion of the Scriptures, admitting it to be only partial, intended? To conciliate whom was it thought necessary to do this? Did not the right hon. Gentleman see that it was done to serve, not the interests of the Protestants, but those of another class of his Majesty's subjects. Whatever might be said of the exclusion of the Bible, or of the system of adopting extracts from it, this was quite clear, that no Protestant could gain any thing by either the one mode or the other. He would learn nothing from extracts only, selected under the sanction of a few persons who were connected with the present board. A great deal had been said in that House, and in other places, with reference to this plan, in connexion with the Fourteenth Report of the Commissioners. But it must be remembered that what that Report proposed, was something supplementary only. It did not disturb existing regulations—it left them all as it found them. Let it be remembered, also, that the number of schools in Ireland had very nearly doubled; therefore, there was no longer any need of the supplementary schools to which the Report referred. Some of the most distinguished persons, Prelates of our Church, were known to have signed this Report; and they were now charged with inconsistency in petitioning against the new plan of education. He hoped he should be able to show they had not been guilty of inconsistency. They never anticipated any attempt to disturb the existing state of things; and the distinction to be drawn between the present system and that recommended by the Report, which was purely of a supplementary character, was obviously great. By that Report, it was left to the discretion of every master to take his pupils to the places of worship of their respective religions; and the distinction in the present case was, that instead of this being done, they were educated in common, and extracts only were made from the Bible, in order to meet the opinions of the Roman Catholics. And was this a system which the House was to be called upon to support? Was it to be tolerated that a system like this should be established, from which, upon the implied acknowledgment of the Solicitor General for Ireland, the Bible was to be excluded. As Christians, the Legislature could not sanction such a system. He trusted that his Majesty's Ministers would not press the measure, but let it quietly drop.

Mr. *Crampton* hoped that the hon. Baronet, the member for Oxford, would not consider him wanting in courtesy if he declined making any observations upon the present occasion. The subject had been already fully discussed, and any hon. Member who wished for another formal debate might, if he thought proper, bring it forward by a motion; but on petitions he declined saying anything.

Mr. *Leader* admitted the respectability of the petitioners; but contended that in the county in which he resided, Kilkenny, as well as in most parts of Ireland, a large proportion of the most intelligent and influential Protestants were decidedly opposed to the Kildare-street plan of education in Ireland, and approved of that proposed to be substituted.

Mr. *Lefroy* said, that the right hon. Gentleman to whom the credit of devising this plan was ascribed, had mistaken the means for the end. How could he expect a combined system of education from a plan which precluded the clergy of every Protestant denomination from taking any part in it? He concluded from the silence of the Government that they did not mean to proceed with the measure.

Lord *Sandon* would take that opportunity to say, that he had to present a similar petition from Liverpool, signed by 1,300 persons of different sects. They prayed that the House would not sanction the new system of education which his right hon. friend, the Secretary for Ireland had proposed to establish as a national system for that country; and here he would observe that the principal point in which he differed from the petitioners was, in the regret which they expressed at the abandonment of the Kildare-street Association, as an object of national support. By professing to teach the Scriptures without note or comment, that Association aimed at a system of conciliation by means of compromise, which he could never look upon as wise or sound. The Scriptures were converted into something little better than a school-book, inasmuch as each party sacrificed the rights of explanation and interpretation, without which the mere reading of the Scriptures could be made but little profitable to the infant mind. It was, besides, distasteful to the great mass of the religious instructors of the Catholic part of the Irish population, and whatever opinion might be formed of the justness of the objections entertained by these parties, he considered the mere fact of their existence sufficient to extinguish any claim to the title of a national system, and as such to national support. If the objections entertained by the Catholic clergy were in his mind amply sufficient reason for withdrawing the aid of national funds from one system, common justice and consistency compelled him to admit that the strong repugnance to the new system felt and loudly expressed by the Protestant clergy and laity of Ireland, was entitled to equal consideration at their hands. No scheme could be fairly called national to which the great body of the clergy of either of the two great persuasions, between which Ireland was divided, had a decided objection; and of the strength of this objection sufficient evidence was given in the declarations of the Synod of Ulster, as well as of nearly the whole Bench of Irish Bishops, in the petitions of clergy as well as laity, and of Presbyterian as well as Episcopalian of either class. Against such a fact it was idle to contend; whether good or bad the scheme could not work. By disputing the reasonableness of that feeling, this new system could no more be forced in repugnance to it, than the system of the Kildare-street Association by the same process, in repugnance to the feeling of the Catholic priesthood. If it might be permitted to treat for a moment with levity so serious a subject, he would say of this scheme, as of harlequin's horse in the old story: it might have excellent qualities, its colour might be beautiful, its form might be perfect, in every respect a most excellent animal it might be—but, unfortunately, the horse was dead. So of this scheme, it was virtually dead; it wanted to constitute it a national system of education, the living qualities of the assent and attachment, nay more, it had the aversion of one great division of the Irish population. Under such circumstances he could have no apprehension of its passing into a law, it had already failed. But as he had said before with respect to the Kildare-street Association, he could not consider the attempt at conciliation by compromise in such a question as national education, to be more wise or sound than practicable. Each party must, to obtain this object, sacrifice something which it considered valuable and important—prejudices, which were often near allied to principles, must be made to give way, and with the prejudice there was danger that some of the principle might go too; at least the sacrifice of the one prepared the way for the sacrifice of the other. If the Protestant thought, that in excluding the Bible from daily use in education, he was making a sacrifice of principle, it would be doing mischief to induce him to make it. If the Catholic thought he was making a sacrifice of principle in admitting the Bible for the same purpose, it was doing equal mischief to induce him to do so. Besides, as a christian, he was not quite satisfied with any scheme which had the appearance of recognizing the separation of morality from religion: as a Protestant he was not quite satisfied with any scheme of national education which, in the minds of many, wore the appearance of recognizing nationally the exclusion of the Holy Scriptures. He would not, however, sit down without expressing his regret, and indignation, at the motives which, in too many places, had been imputed to the promoters of this measure. He should have thought that in the minds of men of any fairness, the public, as well as personal, character of his right hon. friend, the Secretary for Ireland, would have been a sufficient protection against such an imputation—that the recommendations of several successive sets of Committees and Commissioners, consisting of men of undoubted attachment to the Protestant faith, given in favour of schemes, though not identical with, yet nearly similar to, the scheme of his right hon. friend, might have been a natural explanation of the motives which induced him to propose that which was now before the House. But he was much afraid that political, as well as religious feeling, had had much to do with the reception which this measure had met with in Ireland. Indeed, such was the unhappy state of that country, that he did not think he ever saw an instance of either feeling unmixed. He believed that the measure was impracticable in the present state of Ireland; he believed, looking at the state of feeling both in Scotland and Ireland, that it must be given up, and he should feel it his duty to vote against any grant of money for the support of the scheme.

Lord *Robert Grosvenor* said, he could confirm the noble Lord's opinion as to the growing unpopularity of the measure in the north of England, as he had a similar petition to present against it.

Mr. *W. Peel* said, that the measure was introduced to the House as an experiment, and he believed that the experiment had already failed. Consequently, he begged leave to advise Ministers that, as the Kildare-street grant had been withdrawn, no other grant such as that should be made, but that Protestants and Catholics should each provide for the education of their own poor.

Mr. *James Grattan* wished that the experiment should be given at least a full, fair, and impartial trial, before it was condemned. For his part, he believed, if adopted and persevered in, it would confer great benefits upon Ireland.

Lord *Ingestrie* was desirous to see the poor of every denomination educated. But in this plan favour was shown to the Catholic at the expense of the Protestant poor, who could not be expected to give up their own feelings and consent to a mutilation of the Holy Scriptures, which they had been accustomed to receive entire.

Lord *Althorp* said, it was of essential importance to the country that the Estimates should be proceeded with. He, therefore, suggested to hon. Members the impolicy of such discussions as the present at such a moment. It was understood that the Committee of Supply was to close at half-past eight o'clock.

Mr. *J. E. Gordon* said, he had intended to offer some remarks upon the subject, but after what had fallen from the noble Lord he would not then detain the House.

Mr. *Jones* said, he disapproved of the Ministerial plan on religious grounds.

Petitions to be printed.

Lord *Althorp* moved the Order of the Day for the House to resolve itself into a Committee of Supply.

Earl of Belmore.] Mr. *Burge* wished to take that opportunity to press the noble Lord opposite to answer a question which he put to him on a former evening, namely, whether the instructions for the recall of the Earl of Belmore were sent out before Government received intelligence of the late insurrection at Jamaica? He wished for an answer to that question, because most unfounded impressions prevailed in some quarters that the noble Earl's recall was connected with the rebellion.

Lord *Althorp* said, he had not the least idea that a suspicion of tha nature existed. He would state explicitly that, the instructions for the recall of Earl of Belmore were sent out before the Governnent knew anything of the insurrection.

Ways and Means.] Mr. *Herries*, before going into Committee wished to call the attention of the noble Lord to a point connected with the new financial system which he proposed to introduce. The votes now to be passed were, to extend to the 31st of March, 1833, being four quarters. One quarter for this year had been alreadyvoted, making five quarters' supply; and, as there was one quarter's supply left in the Treasury from the grant of last year, over and above what was expended for the year, six quarters' supply would be actually placed at the disposal of the Treasury.

Lord *Althorp* said, it was true, that the votes passed in the year ending the 5th of January had hitherto been actually applied to carry on the service to April, but, though, they had been granted for that quarter, they were not legally applicable to its expenses. The Ministers, therefore, had thought it necessary to come to the House to vote a supply for the first quarter separately, intending afterwards to come for a vote for the year commencing the 1st of April, 1832, and ending the 31st of March 1833. The financial year being thus altered, the irregularity which had hitherto occurred, of applying to the first quarter of a year, part of the money which had been voted by Parliament specifically for the expenses of the preceding year, would be avoided. Such being the case, he did not see how the right hon. Gentleman could assert that six quarters' supply had been placed at the disposal of the Government.

The House resolved itself into a Committee.

Supply—Navy Estimates.] Sir *Jas. Graham* said, that having very recently had occasion to state to the House an outline of the Navy Estimates, he should not then feel it necessary to detain the Committee for more than a very short time. In the outset, however, he begged to remind the Committee, that it was to the effective portion of the service alone, he was about to apply his observations. The sum which had been voted previously for that service was 4,278,000*l.*, which himself and his colleagues had diligently applied themselves to reduce; accordingly, in almost every item in the Estimates he was about to move there was a reduction, as compared to the Estimates of former years. Upon the whole there was a reduction of about 983,000*l.*, as compared with the Estimates of 1831. He would not occupy the time of the Committee by going through the whole of the various items upon which a reduction had been effected, but content himself with alluding to the most important. In the number of men to be employed there was a material reduction: the number of seamen was reduced 4,000, and that of marines 1,000. The next important item was timber and materials; and the third was provisions. Those were the three leading branches of the service in which reductions had been effected; but as he had before stated, upon every item, with the exception of three, some saving was made. Upon those excepted items there was an increase, which he should be happy to explain when they came particularly before the Committee. The whole amount of the reductions was about twenty-two per cent upon the effective branches of the naval service. He, therefore, begged leave to move "that 27,000 men, including 9,000 marines, be employed for the thirteen calendar months next following March, 1832."

Sir *George Clerk* said, if the items in which the alleged reductions were made were examined, it would be ascertained that the savings could only be considered at the best but temporary, and got up for effect. Of those reductions no less a sum than 562,000*l.* was made in the Store and Provision Departments, which must be ultimately replaced. The right hon. Baronet, too, had compared the Estimate of the present year with that for the last, and such a comparison made the reductions appear far greater than they really were, for it was well known that the Estimate of last year exhibited a considerable increase as compared with the Estimate of 1830. The total actual expenditure of 1830 had been ascertained to amount to 5,309,000*l.*, while the Estimate for 1831 was 5,870,000*l.*, exhibiting an increase upon 1830 of 561,000*l.* Then the right hon. Baronet had calculated the expenditure as for the new financial year, it would have been right and fair to calculate it for the actual year 1832, if a correct statement was to be laid before the House, of the naval Estimates. Following the old plan, he had ascertained, that during the quarter already nearly expired, there would be an expenditure of 1,423,000*l.*, and that, added to the Estimates for the other three quarters, would give a total of 5,104,000. Therefore, the estimated expenditure for 1832 would be only lower than the actual expenditure for 1830 by 205,000*l.*, and that difference in the naval charge was apparent rather than real, and easily to be accounted for. It was occasioned, not by reduction, but by transfer. The Coast Guard on the coasts of Kent and Sussex had been transferred from the Admiralty to the Customs, and the charge upon account of it in 1830 amounted to upwards of 200,000*l.* Looking at these facts, he must say, that, although he was quite ready to give the present Government credit for a sincere desire to effect retrenchment, he could not understand how the right hon. Baronet made out his asserted reductions, deducting the increase in the non-effective service of 22,000*l.*, to be 961,000*l.* He was aware that many curtailments had been made in the civil establishments; but he could not, from anything before Parliament, see how the projected arrangements respecting the Victualling and Navy Boards would cause a saving of 49,000*l.*, as had been stated by the right hon. Baronet. Certainly the right hon. Baronet read to the House a statement of the offices which were to be abolished, and which, he believed, amounted to that sum; but that statement had never been laid regularly upon the Table of the House, although a copy of it, or something very closely resembling it, had appeared, he supposed from authority, in the public prints. He repeated, that he desired to have that list regularly before the House; for he found that many offices which were abolished in 1831 were restored in the present Estimates. The Marine Pay Office was said to be abolished, but he found that the Estimates on account of it still amounted to 1,300*l.* Much credit had been taken for the abolition of the office of Paymaster of the Marines. True, that office had been abolished, but another was created, called Inspector General of Marines, with precisely the same salary, and held by the same gentleman. Again, in the dock-yards there was a great reduction made in 1831, but he found very many of the offices restored in the present Estimates. In as far as the documents before the House illustrated the subject, he should say that the whole of the reductions in the various departments, excepting the Stores and Victualling, would not exceed 24,000*l.* or 26,000*l.* That being the case, he hoped the right hon. Baronet would lay before the House the statement which made the reductions amount to 49,000*l.* With respect to the particular vote before the Committee, he would only say, he was glad that the prospect of affairs appeared to justify the Ministers in reducing the effective Navy to the extent of 5,000 men. He hoped the view taken would prove accurate. He now begged to call the attention of the Committee to the transfer of the Coast Blockade from the Admiralty to the Customs which had been effected under the auspices of the present Government; he for one regretted this change, because it took from the Admiralty a valuable corps of reserve, which had been found extremely useful on various occasions, and the revenue would not be so well protected by the new arrangements. Nor was it a saving—he meant looking at the expense per man. In 1830 there were 2,700 persons employed for the protection of the revenue by the Admiralty, and the expense was 180,000*l.* At present there were about 1,500 men employed for the same purpose by the Customs, 1,200 on shore and the rest in cruisers, and the total expense was 97,148*l.* But the expense was not the only point to be considered. How was the revenue protected? How would the Chancellor of the Exchequer answer that question? No one could doubt there had been a great increase in smuggling. The public prints daily gave proof of that being the fact; and they also gave proofs—for instance, a statement of that day—that the Coast Guard was so inefficient as to be actually overpowered by the smugglers. From the opening of the Medway round to Chichester there was but one opinion, and that was, that smuggling had increased to a frightful extent. Indeed so numerous and daring had the smugglers become, that the property in the neighbourhood of the coast was infested and injured by them. It might be said, that the amount of seizures had not varied much, but that was no criterion of the extent of smuggling, for the same means were not now used to effect seizures which had been used in 1830. The Government, however, had furnished a strong proof of the strength and courage of the smugglers and the inadequacy of the Coast Guard employed to put them down, for it had sent a large party of Dragoons, and a body of the Rifle Brigade, to assist in that duty. It had been said, that putting down smuggling was a bad school for sailors, but surely it was even worse for soldiers. The right hon. Baronet had said, that the expense of the present Coast Guard was 97,000*l.*, but he thought that must be erroneous. There were ninety-nine naval officers employed, and those officers were set down at 73*l.* each. That could not be correct. A Lieutenant in the Navy used to be allowed 73*l.* a-year in addition to his half-pay when employed in the coast blockade service, but since 1828 no naval officer had been allowed to receive any half-pay while he held any other situation in his Majesty's service. He considered that a Lieutenant employed in the coast blockade service could not receive less than 160*l.* a-year, for no officer would undertake so troublesome a duty unless he obtained some actual addition to the amount of his half-pay, so that in one item alone there must be an error of 10,000*l.* If that sum was not considered as part of the expense of the Coast Guard it must be looked for in the half-pay list. He had next to complain of the returns which had been made from the Treasurer of the Navy. They were full of errors; indeed he had never before seen returns so faulty. They were signed for the right hon. C. P. Thomson, by C. Aylmer. On the union of the offices of Vice-President of the Board of Trade, and the Treasurer of the Navy in the person of the right hon. Gentleman opposite he had expressed his opinion of the impossibility of the right hon. Gentleman being able to devote a suitable portion of his time to the duties of the latter. The returns of which he now complained, and which proceeded from the department of the Treasurer of the Navy, fully justified his anticipation. The first return was respecting the naval officers on half-pay who held civil offices, and it was as inaccurate as it could be. The return contained names which had no business there at all, and omitted names which it ought to contain, and the information which it had given respecting others was inaccurate. The names of Captain Anson, Sir George Cockburn, and others who sat on that side of the House were inserted, although they had retired from office and, therefore received no civil salary, and the names of Captain Elliott, the Secretary of the Admiralty omitted, and the word "unknown" attached to the name of Sir Thomas Hardy as to his civil emoluments, although he was one of the Lords of the Admiralty. Others were in the same situation. He did not point out the errors and absurdities of the return, for the purpose of throwing blame upon the individual, but to expose the badness of the system. There ought to be a responsible Treasurer of the Navy. He solicited attention to that point, for it afforded a valuable lesson as to what might be expected from the proposed abolition of the Navy and Victualling Boards. The hon. Baronet said, he had alluded to the returns respecting the total expense incurred upon account of the coast blockade. They, however, were very inaccurate, and altogether unsatisfactory. Experience had only confirmed the opinion he had before expressed upon the transfer of the guard for the protection of the revenue from the Admiralty to the Customs. Under the new plan the cost was greater per man, and the service less efficiently performed. When they came to the detail of the other items he should offer some remarks respecting this.

Sir *James Graham* said, that if the hon. Baronet would give notice of any motion, he should be ready to defend himself, but it certainly was something of a novelty in that House to hear an Opposition Member bringing a charge of too great economy against a Minister of the Crown. As to the Paymaster of the Marines, he did not deny that in his place existed an Inspector of Marines; but there was this difference between them—that the one was a military officer and the other a civil officer; and, therefore, he contended that he had a full right to take credit for having reduced one civil office in the Paymastership of the Marines. In consequence of the alteration in the Coast service, referred to by the hon. Baronet, he had been enabled to keep a large number of men on board the guard-ship. The consequence of this was, that he had been able to keep two three-deckers, and three two-deckers fully manned; and two of these ships were now in the Tagus, protecting the property of British subjects. Instead of the Navy, therefore, having been injured by the change, it had promoted the efficiency and availableness of that great branch of the national service. He had the authority of the Commissioners of the Customs for saying, that smuggling had not increased by the new arrangements as to the Coast-guard. With respect to the Return alluded to by the hon. Baronet, he could say that there was no Treasurer of the Navy who had ever done so much, or paid such severe attention to the duties of his office, as the present Treasurer of the Navy. His right hon. friend attended to these duties in person, and not by deputy; and he was sure the more his right hon. friend's conduct was examined, the more praiseworthy it would be found. Since 1829, in consequence of a regulation then made, all the officers employed on the coast service had not been able to take the usual affidavit; and had not, therefore, received their half-pay The officers appointed before that period received their half-pay.

Mr. *Poulett Thomson* hoped the Committee would not, on the faith of the few trivial errors which had been shown to exist in the Returns alluded to by the hon. Baronet opposite, agree in the sweeping condemnation which that hon. Baronet had passed upon his conduct. He was ready to admit that the name of Sir George Cockburn had been inserted into these Returns by mistake; but the name and salary of Captain Elliot would be found in a subsequent page. With regard to Sir Thomas Hardy, when the Return was made out, his affidavit relating to his half-pay and ci il allowances had not been received; but admitting those errors he contended that the accounts were otherwise correct.

Sir *George Clerk* said, he thought the right hon. Baronet had admitted when he acknowledged that he had created a military office with the same salary as that of a civil office which he claimed to have abolished, that some subterfuge had been had recourse to in making up the pretended amount of reductions, and, he believed, there were other cases of the same nature. The master bricklayer at Woolwich was said to have been reduced, but another officer had been appointed under another name. So at Chatham, the master rigger and master painter were said to be reduced, although in fact they had virtually been replaced. He believed that the new offices created would cost 4,000*l.* a-year, and that sum must, therefore, be deducted from the 49,000*l.* which the right hon. Baronet claimed to have saved.

Sir *James Graham* said, the master rigger and the master painter were really reduced, because they were no longer salaried officers. He allowed, however, that they were retained as superior workmen, but a considerable saving had thereby been effected.

Mr. *Hume* concurred in the opinion expressed by the hon. Baronet, that the Return was most imperfect, and that it might be improved. There ought to be no such Returns as "unknown," for a correct account ought to be required from every person previous to the paper being laid on the Table. But he wholly objected to the principle of mixing up half-pay with civil salaries, as that practice afforded facilities for making false Returns. He had no objection to half-pay officers being employed in civil situations, but then he wished the remuneration due for the services should be paid out of one fund. He concurred in the reductions made by the right hon. Baronet, but he thought that they might have been carried a great deal further, and that it was possible to bring the charges down to the standard of 1792. The sums which had been expended since the year 1816, on the building of ships, was nearly thirty millions, and he would undertake to build the whole navy for six millions. Whilst a new species of force was growing up, he considered every farthing that was expended on the building line-of-battle ships on the old principle, as so much money thrown away. He knew it was unpleasant to discharge persons from employment, but individual interests must give way to that of the public, and that feeling must be overcome by men in office. It would be better to keep up a small establishment of well-paid and well-employed artizans, than have such a numerous body as 7,000 men in the public dock-yards, who were only half employed and very ill paid. The consequence of having so many half-employed workmen was, in some instances, that ships had been torn to pieces in order to be repaired again. Then the expense of taking care of the stores was equal to the amount they cost. Again, on the subject of superannuations, the Government made much too liberal use of its power in that respect; for while he was on the Finance Committee, he recollected seeing one person examined—he alluded to Mr. Thompson, the Accountant General of the Navy, who was superannuated, but who was no more fit to be superannuated than he himself was; and he did not suppose that any body would turn him out of the House for not being an efficient man. He contended, on the whole, that, notwithstanding the reductions which the First Lord of the Admiralty had already made in these Estimates, greater reductions might still be made in them, in the instances to which he had referred, as well as in the pay-office, which he thought might be abolished altogether. He called the particular attention of the noble Lord opposite to the charge for superannuations: if something were not done to reduce it, he should be compelled to bring on the motion for a revision of the Act, of which he had already given notice.

Sir *George Cockburn* said, he would first notice a remark made by the hon. Member who had just sat down, relating to the salaries of half-pay officers employed in the civil service being paid out of one fund. He had no objection to that plan, provided they were paid the full amount due for their exertions, but the public received a considerable benefit from the present arrangements, far beyond any frauds that might be occasionally committed, because the public obtained the services of such persons at a cheaper rate, in consequence of their being on the half-pay list, for it must be remembered their half-pay must be paid to them if they were wholly unemployed by the public. Now, with regard to the question before the House, he, when a member of Government, had always maintained that the Administration were the best judges of the number of men required for the defence and protection of the country; and, now that he was in the Opposition, he saw no ground to change his opinion; but there might be differences of opinion as to the description of force to be employed. In this view of the case he objected to some of the reductions proposed by the right hon. Baronet, more particularly as referred to that force with the value of which he was so well acquainted — namely, the Marines. A Marine was the more valuable, because he was of a class which could not be created at pleasure. He had witnessed the inconvenience resulting from employing soldiers on board our ships, who for months were uselessly lying about the ship sick and unfit for service. He thought this force as capable of doing garrison duty, or colonial duty, as the army itself. The Marines should be sent to Gibraltar, Bermuda, and other Marine stations, where they would afford relief to the military, but would be ready for service in case of a war requiring the equipment of a fleet. The best way, in his opinion, to effect these economical objects would be, to reduce a proportionate number of the military, retaining the full complement of Marines, which ought never to be less than 10,000 men. With respect to another alteration that had been made, he must contend that the coast blockade was of great service in providing experienced sailors for his Majesty's ships, when it was necessary that they should be instantly manned to meet any sudden emergency. As to their value in that respect he could quote the testimony of several eminent naval officers to prove that the coast blockade men were found efficient sailors at once, and that they could hit a target better even than the men of the Marine Artillery. Nor could he believe that the naval interests of the country could be protected by five guard-ships instead of twelve. No Government could say with safety that the state of Europe was so perfectly secure or pacific that the force now to be kept on foot would be sufficient, in cases of emergency to place our Navy in that efficient state of equipment which our condition as a nation demanded.

Sir *Henry Hardinge* said, that he conceived the present discussion owed its origin in a great degree to the Returns which he himself had moved for in October last, when he took an opportunity of complaining that the officers on the half-pay of the Army were not permitted to hold civil offices of emolument also—a boon which had been extended to officers of the Navy also in the receipt of half-pay. He appealed to the House whether the case of the army had not been materially altered, and he was of opinion it was an important point for the House, in the year 1832, not to legislate differently with respect to the army to the course pursued by Parliament in 1820, when the services of the army were fresh on the minds and memories of the country and of Parliament, and he hoped the same boon would be extended to the officers of the one service as was proposed for those of the other. It appeared, from the Customs and the Coast-guard Returns, that since the year 1828 no less than ninety-nine naval officers had been appointed to civil situations without losing their half-pay, and yet an officer of the army could not hold the one without the surrender of the other. He would not then trespass upon the attention of the House, as it was his intention to bring the matter before Parliament on the occasion of the Army Estimates, or on the Appropriation Act.

Sir *James Graham* said, that the appointments to which the hon. and gallant Gentleman had alluded, and of which he had complained, were made previous to the Order of Council, dated the 1st of January, 1829, and it should be borne in mind that the army half-pay was regulated by the Appropriation Act, while the half-pay of the Navy was regulated by Order of Council. Of course as long as those laws were in existence he was bound by them, but as the hon. Baronet had expressed his intention to bring the matter before the House, he should reserve what he had to a y until that occasion.

Sir *John Hobhouse* said, that allusion having been made to the service with which he had the honour to be connected, he felt himself bound to state, that, notwithstanding his having been a long or short time in office, he never would desert the interests of the army, or those of the public — interests which he was sure would not be found to be at variance.

Sir *George Murray* could never give his consent to the proposal of the hon. and gallant Admiral, for substituting Marines for the regular forces for garrison duty, as he considered nothing could be more injurious to the service. He was quite prepared to vote the force which Government demanded, on a conviction that it was necessary for the protection of the country.

Captain *Yorke* objected to the very extensive reduction of the Marines recommended by the right hon. Baronet. From his own experience of their effectiveness in preserving the discipline of ships of war, he was certain they were the last class of his Majesty's forces that ought to be put on a reduced establishment. With regard to the Victualling Department he hoped whatever reductions were to be made that the utmost care would be taken to provide an ample supply of good provisions for the use of the fleet, for nothing would so quickly generate dissatisfaction among the seamen as any neglect on that head. It was stated that the present Admiralty had five line-of-battle-ships ready for service, but the former Administration had twelve, which could have been prepared at a very short notice, and he was of opinion that the efficiency of the men was better kept up by employment on the coast blockade service than by lying idle in full manned ships of war either in Portsmouth harbour or elsewhere.

Vote agreed to.

As was a vote of 851,175*l.* for wages for 27,000 men for the thirteen lunar months ending the 31st of March, 1833, at 2*l.* 7*s.* per man per month.

The House resumed, and Report brought up.

FACTORIES' REGULATION BILL.] Mr. *Sadler:* Sir—In rising to move the second reading of the Bill which I have had the honour of introducing into Parliament, for regulating the labour of children, and young persons, not being free agents, employed in our mills and factories of whatever description, I beg leave to remind the House that, consulting the convenience of that branch of his Majesty's Government whose more especial duty it is to attend to subjects of this nature, I postponed the discussion upon the principle of the measure to this stage of its progress, and that I have, also, from the same motive, deferred, from time to time, the opportunity of moving the second reading of the Bill, for which I have anxiously waited until the present evening. In now proceeding to discharge, as well as I am able, the task I have undertaken, I shall, as far as I can, consistently with the importance of the subject, and the great and general interest which it has excited throughout the entire community, compress the arguments and facts upon which I found the main proposition of this measure. Hence, though I have been long acquainted with the question, still I shall less present my own views and impressions regarding it than those of other and far higher authorities. Nor shall I misapply many moments of the time to which I shall attempt, on this occasion, to limit myself, by any allusion personal to myself, however much I may have been provoked to such a course. In bringing forward this measure I make no pretensions to a degree of humanity beyond that which I share with the people at large; still less am I influenced by any views adverse to the prosperity and extension of our manufactures and commerce: least of all can I be governed by feelings otherwise than cordial to those engaged in these great concerns. On the contrary, in pursuing my present course, I am acting under the impression, at least, that the measure which I propose will advance the true and permanent interests of the manufacturers, the cordial encouragement and support of many of the most humane, wealthy, and best informed of whom, I regard as the strongest proof of the necessity of the measure, and the surest pledge of its success. As to the imputations of those who wish to defeat this attempt as they have defeated preceding ones of a like nature, not only by thwarting the designs, but by maligning the motives, of those who make them; and who, therefore, accuse me of being instigated by a mere desire of popularity in now bringing forward a measure which some of them know well enough, that I had advocated as strongly long before I was in Parliament, as I can do on the present occasion—I say, as to their imputations, I should have passed them over in silence, only that they afforded me an opportunity, which I will not neglect, of proving, even from the mouths of its opponents, that the measure is highly popular—in the fullest and best sense of the term—and the House, I think, has seen that its popularity is founded upon the steadfast principles and sober feelings of the British community, and that those who resist it must reckon on their just contempt and honest indignation. This is no personal question, nor, to the honour of this House, as has been already seen, is it a political question: it is supported by the wise and the good of all parties and of every persuasion, and must finally triumph. Sir, the Bill which I now proceed to implore the House to sanction by its authority, has, for its purpose, to liberate children and other young persons employed in the mills and factories of the kingdom, from that over exertion and confinement which common sense, as well as long experience has shown to be utterly inconsistent with the improvement of their minds, the preservation of their morals, or the protection of their health: in a word, to rescue them from a state of suffering and degradation which, it is conceived, the children of the industrious classes in hardly any other country endure, or ever have experienced, and which cannot be much longer tolerated. Sir, I am aware that some Gentlemen profess, upon principle, a great reluctance to legislate upon these matters, holding such interference to be an evil. So, I reply, is all legislation—upon whatever subject—an evil only to be tolerated for the purpose of preventing some greater evil; and I shall, therefore, content myself with meeting this objection, common as it is, by simply challenging those who urge it to show us a case which has stronger claims for the interposition of the law, whether we regard the evil to be abated in regard to the suffering individuals, to society at large, to posterity, or to the utter helplessness of those on whose behalf we are called on to interfere; or, lastly, the fact—which experience has left no longer in doubt—that if the law does not, there is no other power that can or will adequately protect them. But, I apprehend, the strongest objection that will be offered on this occasion will be grounded upon the pretence that the very principle of the Bill is an improper interference between the employer and the employed, and an attempt to regulate by law the market of labour. Were that market supplied by free agents, properly so denominated, I should fully participate in those objections. Theoretically, indeed, such is the case, but practically, I fear the fact is far otherwise, even regarding those who are of mature age; and the boasted freedom of our labourers in many pursuits will, on a just view of their condition, be found little more than nominal. Those who argue the question upon mere abstract principles seem, in my apprehension, too much to forget the condition of society, the unequal division of property, or rather its total monopoly by the few, leaving the many nothing whatever but what they can obtain from their daily labour; which very labour cannot become available for the purpose of daily subsistence, without the consent of those who own the property of the community, all the materials, elements, call them what you please, on which labour is to be bestowed, being in their possession. Hence it is clear that, excepting in a state of things where the demand for labour fully equals the supply (which it would be absurdly false to say exists in this country), the employer and the employed do not meet on equal terms in the market of labour; on the contrary, the latter, whatever be his age, and call him as free as you please, is often almost entirely at the mercy of the former: he would be wholly so were it not for the operation of the Poor-laws, which are a palpable interference with the market of labour, and condemned as such by their opponents. Hence is it, that labour is so imperfectly distributed, and so inadequately remunerated, that one part of the community is over-worked, while another is wholly without employment; evils which operate reciprocally upon each other, till a country which might afford a sufficiency of moderate employment for all, exhibits at one and the same time part of its inhabitants reduced to the condition of slaves by over exertion, and another to that of paupers by involuntary idleness. In a word, wealth, still more than knowledge, is power, and power, liable to abuse whenever vested, is least of all free from tyrannical exercise, when it owes its existence to a sordid source. Hence have all laws, human or divine, attempted to protect the labourer from the injustice and cruelty which are too often practised upon him. Our Statute-book contains many proofs of this, and especially in its provision for the poor.

The Anti-Truck Bill of last year is an instance of the same benevolent interposition. Above all, that sacred institution which has been adopted and legally enforced, as far as the limits of civilization extends, and which justifies its claim to its divine origin by its humanity and mercy—the institution of the Sabbath, is a constantly recurring interference between the employer and the employed, solely and avowedly in favour of the latter. For myself I cannot help regretting, that almost every other red-letter day is now blotted out from the dark calendar of labouring poverty, whose holidays are now too "few and far between," to cheer the spirits, or recruit the health of our industrious population. Nor has the introduction of machinery redressed this great and growing evil. It was promised, indeed, and might have been hoped, that the great inventions of recent times would have restored some of these; would have abridged human labour somewhat in its duration, and abated its intensity: and it is only by effectuating this that machinery can justify its very appellation, as consisting of inventions to shorten human labour. As now applied, it has too often the contrary effect. Sir, I look forward to the period when machinery will really vindicate its pretensions, and surpass, in its beneficial effects, all that its most sanguine advocates have anticipated: when those inventions, whether so complicate and minute as almost to supplant the human hand, or so stupendous as to tame the very elements, and yoke them to the triumphal car of human industry, shall outstrip our boldest expectations, not so much, indeed, by still further augmenting the superfluities of the rich, as by increasing the comforts and diminishing the labour of the poor; thereby restoring to the mass of our fellow beings those physical enjoyments, that degree of leisure, those means of moral and mental improvement, which alone can advance them to that state of happiness and dignity to which, I trust, it is their destiny to attain. Hitherto, however, I repeat, the effect has been far different. The condition of the operative manufacturer has been rendered more and more dependent and precarious: the labour of those of them that are employed is, in many cases, so increased, as to be utterly irreconcileable with the preservation of either health or life: infancy itself is forced into the market of labour, where it becomes the unresisting victim of cruelty and oppression; while, as might be expected from such an unnatural state of things, the remuneration for this increasing and excessive degree of toil is regularly diminishing, till at length multitudes among us are reduced, in their physical condition at least, below the level of the slave or the brute. In proof that this is no singular or overcharged view of the present effects, or, at all events, of the inevitable consequences of this dreadful system, I shall appeal to the language of a benevolent and enlightened individual, formerly a Member of this House, and an ornament to it and the country—I mean the late Sir Robert Peel. His deliberate judgment upon this important subject is recorded in a document which he delivered to the Committee on this Bill in 1816:—

> "Such indiscriminate and unlimited employment of the poor (says that distinguished individual) consisting of a great proportion of the inhabitants of the trading districts will be attended with effects to the rising generation so serious and alarming, that I cannot contemplate them without dismay; and thus that great effort of British ingenuity, whereby the machinery of our manufactures has been brought to such perfection, instead of being a blessing will be converted into its bitterest curse."

Neither in quoting this passage, nor in making the few observations which introduced it, would I be understood to recommend any interference with the efforts of human ingenuity, or with the market of labour, as applied by free agents. In shewing, however, how far even adults are from being free agents, in the proper meaning of the term, but, on the contrary, how dependent they often are for their employment and their daily bread upon the will of others, I think I have prepared the way for the conclusion, that children, at all events, are not to be regarded as free labourers; and that it is the duty of this House to protect them from that system of cruelty and oppression to which I shall—waiving many observations that here present themselves—presently advert. As for the common-place objection urged against the necessity of a legislative protection being extended to these children, that their parents are free agents, and that the children, therefore, ought to be regarded as such, I apprehend that it has but little force in any point of view. The argument, however, is so often and so confidently urged, that I shall be excused in giving it a moment's attention.

Sir, the parents who surrender their children to this infantile slavery may be separated into two classes. The first of these, and, I trust, by far the most numerous, consists of those who are obliged, by extreme indigence, so to act, but who do so with great reluctance and with bitter regret: themselves, perhaps, out of employment, or working at very low wages, and their families, therefore, in a state of great destitution, what can they do? The Overseer, as is in evidence, refuses relief if they have children capable of working in factories whom they refuse to send there. They choose, therefore, what they deem, perhaps, the lesser evil, and reluctantly resign their offspring to the captivity and the pollution of the mill: they rouse them in the winter morning, which, as the poor father says before the Lords' Committee, they "feel very sorry" to do—they receive them fatigued and exhausted, many a weary hour after the day has closed—they see them droop and sicken, and, in many cases, become cripples and die, before they reach their prime: and they do all this, because they must otherwise suffer unrelieved, and starve, like Ugolino, amidst their starving children. It is mockery to contend that these parents have a choice; that they can dictate to, or even parley with the employer, as to the number of hours their child shall be tasked, or the treatment it shall be subject to in his mill; and it is an insult to the parental breast to say, that they resign it voluntarily—no, Sir,

"Their poverty, and not their will consents."

Consents, indeed! but often with tears, as Dr. Ashton, a physician familiar with the whole system, informed the Committee; a noble Member of which, indeed, observed to one of the poor parents then examined, who was speaking of the successive fate of several of his children, which he had been obliged to send to the factory—"You can hardly speak of them without crying?" The answer was "No!" and few, I should suppose, refrained from sympathizing with him. Free agents! To suppose that parents are free agents while dooming their own flesh and blood to this fate, is to believe them monsters! But, Sir, there are such monsters: unknown, indeed, in the brute creation, they belong to our own kind, and are found in our own country;

and they are generated by the very system which I am attacking. They have been long known and often described, as constituting the remaining one of the classes of parents to which I adverted. Dead to the instincts of nature, and reversing the order of society, instead of providing for their own offspring, they make their offspring provide for them: provide—not for their necessities alone, but for their intemperance and profligacy. They purchase idleness by the sweat of their infants, and spend the price of their happiness, health, and life, in the haunts of profligacy and corruption. Thus, at the very same hour of the night that the father is at his guilty orgies, the child is panting in the factory. Such count upon their children as upon their cattle—nay, to so disgusting a state of degradation does the system lead, that they make the certainty of having an offspring, the indispensable condition of marriage, that they may breed a generation of slaves. These, then, are some of the free agents, without the *storgé* of the beast, or the feelings of the man, to whom the advocates of the mill-system assure us we ought to intrust the labour of little children. One of these free agents, a witness against the late Sir Robert Peel's Bill, confessed, before the Committee, that he had pushed his own child down and broken her arm, because she did not do as he thought proper, while in the mill. The Lords refused to hear the wretch another word. And shall we listen to those who urge us to commit little children to such guardianship? Sir, we have heard, in a late memorable case, a *dictum*, uncontradicted I believe in any quarter, stating that, by the Constitution of England, the first law officer of the Crown, representing the Sovereign, is the guardian of all children, of whatever rank, improperly treated by their parents; but that that Court was limited in its interference by the circumstance of there being property under its control. Will it be contended, then, that in these extreme cases of cruelty and oppression (for such I shall call them), where protection is far more imperatively demanded, that poverty should be a bar against the course of British justice? If so, let us boast no longer of the impartiality of our laws! Why, Sir, if in a solitary instance a parent were to confine his child, or a master his apprentice, in a heated room, and keep him at his labour more hours than nature could sustain, and at length the victim were to die under the tyrannous oppression, and a Coroner's inquest were to return a verdict of murder upon the occasion, what would be the result? And are the multiplication of such lingering murders, and the effrontery with which they are perpetrated, to become their expiation? if not, it is high time that the Legislature should interfere and rescue from the conspiracy of such fathers, and such factory-masters instigated by kindred feelings, these innocent victims of cruelty and oppression.

There are other descriptions of children, also, whom I should be glad to know how the objectors to whom I am alluding make out to be free agents. I mean poor orphan children—a class which the system is a very efficient instrument in multiplying: very few adult spinners, as it is often alleged, and as I shall prove, surviving the age of forty; in many instances, therefore, leaving their children fatherless at a very early period of life. Indeed, so numerous are these, that a physician, examined on the occasion to which I have so often alluded, was painfully struck with the proportion. Are these orphans free agents? Again, there are in all manufacturing towns a great number of illegitimate children, and these, also, are greatly increased by the system in question. I am aware that a celebrated authority has said, these are, comparatively speaking, of no value to society—others would supply their place—yet still I cannot but regard these as objects of the deepest compassion. To this list of free agents I might also add the little children who are still apprenticed out in considerable numbers, often, I fear, by the too ready sanction of the Magistrates whose hard treatment has been the subject of many recent communications which I have received from individuals of the highest credit and respectability. But, as the objectors to legislative protection for the factory-children can make it out to be unnecessary, because their parents are free agents for them, when they have any surviving, so also it is quite as clear, probably, in their apprehension, that the parish officer is as good a free agent for the poor orphan, the illegitimate, or the friendless little apprentice, who may be under his special protection.

But I will proceed no further with these objections. The idea of treating children, and especially the children of the poor—

and, above all, the children of the poor imprisoned in factories—as free agents, is too absurd to justify the attention I have paid to it. Sir, the fact is, that the protection of poor children and young persons from those hardships and cruelties to which their age and condition have always rendered them liable, has ever been held one of the first and most important duties of every Christian Legislature. Our own has not been entirely deficient in this respect; and it is mainly owing to the change of circumstances that many of its humane provisions have been rendered inoperative, and that the present measure has become necessary. I had meant to take a short review of these various efforts down to the time of the benevolent Hanway; but interesting as the subject is, and applicable to the present discussion, I must forbear, in respect to the time it would occupy. I shall, therefore, just notice that the introduction of Sir Richard Arkwright's invention revolutionized the entire system of our national industry. Previously to that period, the incipient manufactures of the country were carried on in the villages and around the domestic hearth: that invention transferred them principally to the great towns, and confined them to what are now called factories. Thus was it that children became the principal operatives; and they no longer performed their tasks, as before, under the parental eye, and had them affectionately and considerately apportioned, according to their health and capacities, but one universal rule of labour was prescribed to all ages, to both sexes, and to every state and constitution. Such a rule, therefore, it might have been hoped and expected, would have been calculated upon what the young, the delicate, and especially the female, labourers could bear. But no!—I speak it with shame, with horror—it was stretched, in many cases—I had nearly said in almost all—beyond what the most athletic and robust of our own sex, in the prime and vigour of life, can with impunity sustain; to the ultimate destruction, in a vast plurality of instances, of the health, happiness, and life of the miserable victims. Sir, our ancestors could not have supposed it possible—posterity will not believe it true—it will be placed among the historic doubts of some future antiquary—that a generation of Englishmen could exist, and had existed, that would task lisping infancy, of a few summers old regardless alike of its smiles or tears, and unmoved by its unresisting weakness, eleven, twelve, thirteen, fourteen, sixteen hours a-day, and through the weary night also, till, in the dewy morn of existence, the bud of youth faded, and fell ere it was unfolded. "Oh, cursed lust of gold!" Oh, the guilt England was contracting in the kindling eye of Heaven, when nothing but exultations were heard about the perfection of her machinery, the march of her manufactures, and the rapid increase of her wealth and prosperity!

Early, however, in this century, the late Sir Robert Peel, knowing well the enormities of the factory system, and finding, from his own experience, that nothing but a legislative enactment could remove them, obtained the first Act for the protection of poor children employed in cotton factories. About fifteen or sixteen years afterwards, he carried another measure of a similar but more comprehensive nature. Lastly, the right hon. member for Westminster obtained another Act last Session, having the same benevolent object in view. But on all these occasions, the attempt by whomsoever made, or whatever was its character, was met with the same strenuous, or as I might well call it, vehement opposition. Whether it was proposed to limit the labour of infants and young persons, beside the time necessary for their meals and refreshments to ten, eleven, or even twelve hours a-day, it was all one, the proposal was scouted and resisted. The motives and conduct of those engaged in attempting to obtain this protection were maligned. The universal humanity of all those engaged in every pursuit, whose power over those children was unrestrained, was boldly asserted; the superior health, happiness, and even longevity of those employed were always maintained. Whatever was the nature or duration of the employment which these young persons, whether daily or nightly pursued, it was contended that no injury, but abundance of good was done to them. On every occasion this opposition has so far triumphed, as to defeat the original intentions of those who have proposed these measures. It has succeeded in lengthening the time of infantine labour—in limiting every act to one particular branch of business—in introducing provisions which have rendered them liable to constant evasions—and it is well known, that the whole of them are evaded and rendered little better than a dead letter. The very same opposition that has so long and so often triumphed over justice and humanity is again organized and actively at work.

A Committee of Inquiry is now again demanded, and I fear in order to postpone, if not finally to defeat, the measure. The nature of the evidence that will be then brought forward is perfectly familiar to those acquainted at all with the subject. Certificates and declarations will be obtained in abundance from divines and doctors as to the morality and health which the present system promotes and secures. Sir, I cannot refrain from giving a sample of what may be expected in this line, and I think it will prepare us for, and arm us against, whatever may be advanced in favour of so unnatural and oppressive a system. I mean not to impeach the veracity or the learning of the witnesses who appeared in its favour, and whose evidence cuts a very conspicuous figure in these ponderous reports; it only furnishes another proof of the strange things that may be perhaps conscientiously believed and asserted, when the mind is under a particular bias. They said, that the children who were worked without any regulation, and, consequently, according to their employers sole will and pleasure, were not only equally, but more healthy, and better instructed, than those not so occupied; that night labour was in no way prejudicial, but actually preferred; that the artificial heat of the rooms was really advantageous, and quite pleasant; that, so far from being fatigued with, for example, twelve hours' labour, the children perform the last hour's work with greater interest and spirit than any of the rest. What a pity the term is not lengthened!—in a few more hours they would be worked up into a perfect ecstacy of delight! A doctor, who is produced, will not pronounce without examination that it could be prejudicial. I must quote a few of his assertions, or rather answers to certain queries. "Should you not think (he is asked) that, generally speaking, keeping a child, eight years old, standing twelve hours in the day would be injurious?" The doctor reverses, perhaps by mistake, the figures, but his answer terminates—"I believe it is not." "Supposing (it is again asked) I were to ask you whether you thought it injurious to a child to be kept standing three-and-twenty hours out of the four-and-twenty, should you not think it must be necessarily injurious to the health, withou any fact to rest upon—as a simple proposition put to a gentleman of the medical profession?" "Before I answer that question," the doctor replies, "I should wish to have an examination to see how the case stood, and if there were such an extravagant thing to take place, and it should appear that the person was not injured by having stood three-and-twenty hours, I should then say it was not inconsistent with the health of the person so employed." "As you doubted," says a noble Lord, "whether a child could work for twenty-three hours without suffering, would you extend your doubts to twenty-four hours?" "That was put to me as an extreme case," says the doctor; "my answer only went to this effect, that it was not in my power to assign any limits." The same authority will not say whether it would be injurious to a child to be kept working during the time it gets its meals. Another medical gentleman "is totally unable to give an answer" whether "children from six to twelve years of age, being employed from thirteen to fifteen hours in a cotton factory, in an erect position, and in a temperature of about 80°, is consistent with safety to their constitution." Another boldly asserts, that he does not see it necessary that young persons should have any recreation or amusement, nor that the constant inspiration of particles of cotton is at all injurious to the lungs. Reports of the state of certain mills were also given, but the reporters seem to have totally forgotten that they had examined a body of persons constantly recruited, from which the severely sick, and those that had retired to die, were necessarily absent; and not to have suspected that many of these mills were also previously and carefully prepared for such inspection. Still, I observe, that it is allowed that "many of them" (the children) "were pale, and apparently of a delicate complexion," but "without any decided symptoms of disease." Why, what did that paleness and delicacy in the rosy morning of life indicate? That disease, though not decided as to its symptoms, was decidedly fastening with mortal grasp upon its victims; that early labour and confinement had, "like a worm i'the bud, fed on their damask cheek;" that the murderous system was then about its secret, but certain, and deadly work. In corroboration, however, of all that these learned persons advanced, and in full proof of the excellency of the entire system, bills of mortality of certain places and works were adduced; in some of which, it was made to appear that, in a mean number of 888 persons employed, the mortality had, during eight years, averaged 3-875-1000th only, or one in 229. This sort of evidence suggests many ludicrous ideas, which, however, as unsuitable to the subject, I shall suppress; it will, doubtless, be again adduced in great abundance before another select Committee. Physicians, divines, and others, would be found to testify to the same effects. I will show the true value of all such certificates before I sit down. Parliament, indeed, did not regard these champions of the factory-system on the former occasion, for the Bill was passed in spite of their opposition; and, after what I shall advance, I hope the House will not again trouble them.

Without attending any further to this species of opposition, I now proceed to show the necessity of a general measure for regulating the labour of children and young persons employed in mills and factories, of whatever description, the protective Acts already obtained, having been confined in their operation to one branch of manufacture only, and in that, almost entirely defeated as to their original intention and design. I need not inform the House, that the great invention of Sir Richard Arkwright, originally used for the spinning of cotton, has at length been applied, with the necessary adaptations, to a similar process in almost all our manufactures. Now, the fact that Parliament has several times, notwithstanding the severest opposition, seen it necessary to regulate the labour of children in the former pursuit, proves the same necessity to exist regarding those other factories, now so numerous, which have been hitherto entirely exempted from all such control. It would be the grossest injustice, as well as insult, to argue that those engaged in the cotton trade were one whit less humane and considerate, and, consequently, required legislative interference one whit more than those engaged in spinning any other material. And if it be contended, that the labour of the latter is in many cases either unhealthy or less immoderate than that of the former, I meet the assertion with a direct negative.

And, first, in reference to one description of spinners, from some of whom I am now meeting with opposition of every kind, I mean the spinners of flax—I would seriously ask any Gentleman who has himself gone through a modern flax-mill, whether he can entertain the slightest doubt, that the occupation, as now pursued, must, in many cases, be injurious to health and destructive of life? In many departments of those mills, the dust is great, and known to be highly injurious. In those in which fine spinning has been introduced, the air has to be heated, as in certain of the cotton mills; the flax has also, in one of its processes, to be passed through water heated, I am told, to a high temperature, into which the children have constantly to plunge their arms. In the heckling rooms, in which children are now principally employed, the dust is excessive. The rooms are generally low, lighted by gas, and heated in these cases by steam; altogether exhibiting a state of human endurance which I will not trust myself to describe. I will appeal to a higher authority on these subjects. I hold in my hand a treatise, by a medical man of great intelligence—Mr. Thackrah of Leeds, who, in his work "On the Effects of Arts and Trades on Health and Longevity," thus speaks of this pursuit, especially of the dusty parts in it:—"A large proportion of men in this department die young."—"We find, indeed, comparatively speaking, few old persons in any of the departments of the flax mills." "On inquiry at one of the largest establishments in this neighbourhood, we found that, of 1,079 persons employed, there were only nine who had attained the age of fifty, and besides these only twenty-two who had reached forty." It may, however, perhaps, be here remarked, that this factory census does not exhibit the rate of mortality, but merely indicates that few adults are required in these establishments. If so, then another enormous abuse comes into view, namely, that this unregulated system over-labours the child, and deserts the adult, thus reversing the natural period of toil, and leaving numbers without employment, or the knowledge how to pursue it if they had, just at the period of life when they ought to commence active exertions. Why, Sir, this is to realize, in regard of these poor victims of premature labour, the fate of the poor little chimney-sweeper, whose lot, once commiserated so deeply, is now, I think, too much forgotten, and whose principal hardship is not so much that his business is of a degraded kind, as that, when he has learned his business, he has outgrown it, and is turned upon society to learn some occupation late in life, and to seek an employment for which he is unqualified. So far, therefore, this unrestricted factory-system perpetrates the deepest injury, not only on individuals, but upon society at large.

But, to return to Mr. Thackrah: He says, "that a visitor cannot remain many minutes in certain rooms without being sensibly affected in his respiration;" also, that "a suffocating sensation is often produced by the tubes which convey steam for heating the rooms." He examined, by the stethoscope, several individuals so employed, and found "the lungs or air tube considerably diseased" in all of them. He adds, that the coughs of the persons waiting to be examined were so troublesome as continually to interrupt and confuse the exploration by that instrument. He says, "that though the wages for this labour are by no means great, still the time of labour in the flax mills is excessive; the people are now (November, 1830) working from half-past six in the morning until eight at night, and are allowed only an interval of forty minutes in all that time." Thus human beings are kept in an atmosphere of flax dust nearly thirteen hours in the day for six days in the week. "No man of humanity," he observes, "can reflect without distress on the state of thousands of children, many from six to seven years of age, roused from their beds at an early hour, hurried to the mills and kept there, with an interval of only forty minutes, to a late hour at night, kept, moreover, in an atmosphere loaded with noxious dust." "Health," he exclaims, "cleanliness, mental improvement, how are they regarded! Recreation is out of the question. There is scarcely time for meals. The very period of sleep, so necessary to the young, is too often abridged. Nay, children are sometimes waked even in the night. Human beings thus decay before they arrive at the term of maturity." He observed elsewhere "that this system has grown up by a series of encroachments upon the poor children, that the benevolent masters are not able to rectify these abuses. A legislative enactment is the only remedy for this, as well as the other great opprobrium of our manufactures, the improper employment of children." Such, Sir, are the opinions of this medical gentleman on the subject, written long before the present Bill was before the House, and founded upon daily observation and experience.

I might add the opinion of another very excellent practitioner of the same place, Mr. Smith, respecting the cruelty of the present system, and the misery and decrepitude which it inflicts upon its victims; but his opinions, given with great force and ability, have, I think, been already widely disseminated by means of the press. The other surgeons of the General Infirmary, all men of great professional eminence, entertain, I believe, precisely similar opinions. One of them, Mr. Hey, a name that must, on being mentioned, command the highest respect in every medical society, whether of England, or, indeed, of Europe, presided, as Mayor of Leeds, at an immensely numerous meeting of the inhabitants of that borough, when the petition presented from that place in favour of the Bill, signed by between 18,000 and 20,000 names, was unanimously agreed to.

In silk and worsted mills, and especially in the former, the nature of the employment may be less prejudicial in itself; but then its duration is often more protracted, and it falls in a larger proportion upon females and young children. In many spun-silk mills, in which a different operation from that of silk throwing, and one conducted upon Arkwright's principle is carried on, the practice of working children at a very tender age, and often all night, prevails. In one of these, I am informed, they commence at one o'clock on the Monday morning, and leave off at eleven on Saturday night; thus delicately avoiding the Sabbath, indeed, but rendering its profitable observance, either for improvement, instruction, or worship, an utter impossibility.

In the worsted mills the greatest irregularities have, in this respect, existed; and, therefore, occasional oppression has long prevailed. Let the following extract suffice, from a document drawn up by a gentleman in this branch of business, Mr. Wood, to mention whose name is to kindle up at once the most enthusiastic feelings in the bosoms of the honest operatives of the north, and to whom is due the honour of originating and supporting this attempt, and who, while he has conducted his manufacture with the greatest humanity and kindness, has still earnestly sought to ameliorate the general condition of the labouring poor. This gentleman gives the ages of 475 persons, principally females, employed at a worsted mill, which, it appears, average about twelve years and a half. He says, "Children of these years are obliged to be at the factory, winter and summer, by six o'clock in the morning, and to remain in it till seven in the evening, with but one brief interval of thirty minutes, every day except Saturday, ceasing work on that day, in some factories, at half-past five, in others at six or seven p. m. Not unfrequently this labour is extended till eight or nine at night, fifteen hours—having but the same interval for meals, rest, or recreation; nay, such is the steady growth of this over-working system, that children have been confined in the factory from six in the morning till eight at night, fourteen hours continually, without any time being allowed for meals, rest, or recreation—the meals to be taken while attending the machines; and this the practice of years." This picture, sufficiently appalling, has also to be darkened by the addition of frequent night labour. Sir, this is the practice at Bradford and the neighbourhood.

But, to show that the evils are confined to no particular neighbourhood, but that they prevail wherever children are the principal labourers of the community, I shall next advert to their usage in the principality of Wales, in the flannel manufacture. I quote the following account, which I have received from the most respectable quarter. With certain fluctuations in the degree of labour, resulting from the difference in the demand of the manufactured goods, the children work twenty-four hours every other day, out of which they are allowed three hours only for meals, &c. When trade is particularly brisk, the elder children work from six in the morning till seven in the evening—two hours allowed for meals, &c.—and every other night all night, which is still a more severe case. For this additional night labour they receive *5d.* There is another lamentable circumstance attending the employment of these poor children, which is, that they are left the whole of the night alone—the sexes indiscriminately mixed together—consequently you may imagine that the depravity of our work-people is indeed very great. The adults are employed in feeding the engines. Independent of moral considerations, the accidents that occur to these poor little creatures are really dreadful—the number of mutilated and amputated limbs to be met with are quite distressing, and ever must be, till some better regulation is carried into effect. There is not a single place of charitable education for 8,000 children beyond a Sunday school.—As to woollen mills, certain departments in these, especially since the introduction of the French machines, are injurious to health, but, generally speaking, otherwise. But here I might argue that the reason usually given against the necessity of regulating the excessive labour of children employed in factories no longer holds, as the labour in woollen mills is, in general, much more strenuous than that in most of the before-mentioned factories. But, Sir, I disdain to avail myself of an argument, however plausible, which I believe to be fallacious. It is not so much the degree of labour which is injurious to these work-children—(how revolting the compound sounds; it is not yet admitted, I think, into our language; I trust it will never be familiarised to our feelings). I say it is not so much the degree, as the duration, of their labour that is so cruel and destructive to these poor work-children. It is the wearisome uniformity of the employment, the constrained positions in which it is pursued, and, above all, the constant and close confinement, which are more fatiguing to the body as well as mind than more varied and voluntary, though far stronger, exertion. Sir, I dwell upon this point with more emphasis, because it is the sole possible plea for the long and imprisoning hours of the present laborious system; though, when properly considered, it is one of the strongest arguments against it. Light labour, Sir, is the labour of holding a pen, and of writing with it strenuously; and yet, ask a clerk in any of the public offices, or in any private counting-house, whether when he has been at his employment some half-dozen hours in the day less than one of these children, he does not think that he has had enough of this light labour—to say nothing of the holidays, of which he has many, and the child none. Ask the recruit recent from the plough, whether an hour of his light exertion is not more fatiguing than any three he ever endured in the field. Ask his veteran officer, how long he can subject even the old soldier to this sort of slight but constrained exertion in the open air with impunity. I might appeal to the Chair, whether the lingering hours which have to be endured here, though unaccompanied with any bodily exertion whatever, are no "weariness to the flesh." But what would be the feelings of the most active individual among us, if we were compelled to pace that table, for instance, engaged in some minute and anxious employment, stunned with the noise of revolving wheels, suffocated with the heat and stench of a low, crowded, and gas-lighted apartment, bathed in sweat, and still stimulated by the scourge of an inexorable task-master: I say, what would be his ideas of the light labour of twelve or fourteen hours in such a pursuit, and when the night also was added to such a day once or twice in every week? And how would he feel if long years of such light labour lay before him. Let him, if he be a parent, imagine the child of his bosom in that situation, and then judge concerning the children of thousands of others, who are as dear to the Universal Parent as are his own. Let him think of his own childhood, and he will then remember that this light labour is the fatigue of youth, and that strenuous exertion, when the buoyant spirits exercise the entire frame, is its sport.

Sir, I might quote authorities on this subject, but it were unnecessary so to do. Common sense and common feeling at once decide the point; and dispose of this plea of tyranny for this slavish captivity of our infants and our youth. Hence the late Sir Robert Peel, in bringing forward his last measure, emphatically observed, that it was not so much the hardship as the duration of labour, which had caused the mischievous effects on the rising generation. But, if hon. Members choose to argue the question on different grounds, and wish to establish a variation in the duration of the labour of children in mills and factories, in reference to the difference in the nature of the employment, be it so. Confident in my own mind that the Bill proposes the utmost limit which the youthful constitution can safely bear in any pursuit, I can have no particular objection that that period should be abridged in the more pernicious and strenuous employments of the country. But, of this limitation, more hereafter.

I shall not attempt at present to give any precise account of the length of labour generally undergone in different mills and factories. It varies according to the humanity of the employer, and the demand for his goods at particular seasons. But let me here remark, that these variations constitute one of the main reasons for a legislative protection, otherwise the humane masters will be driven out of the trade; for these, it is quite clear, cannot control others less humanely disposed. They are, indeed, in the present state of things, as little free agents as the children whom they employ. And, moreover, the want of a due regulation throws the effects of those fluctuations to which trade and manufactures are subject in an undue and distressing degree upon those who are the least able to sustain their effects. Thus if the demand and profit of the employer increase, the labour of the operatives, most of whom are children, augments, till many of them are literally worked to death; if that demand diminish, the children are thrown partially or wholly out of employment. Were their labour averaged throughout the year, as some mill owners, I perceive, have calculated its duration, it might not, perhaps, appear so excessive; for, Sir, at the very moment that a strenuous opposition is being made against the curtailment of infantile labour, in certain flax mills in the north, I find that the masters themselves have curtailed it to some purpose, having diminished the employment in some mills, and, if I am not misinformed, shut up others entirely; and I have no doubt, but at this particular moment, abundance of evidence might be adduced, before a Select Committee, to show that the hours mentioned in the Bill are observed, and, indeed, more than observed. But, then, if it be right that the owners should be allowed to throw out of employment all these children at a day's notice, is it proper that they should be permitted to work them for an unlimited number of hours the moment it suits their purpose so to do? Sir, if the effects of this Bill were, in some measure, to equalize the labour of these poor children, and thereby prevent those fluctuations which are so distressing in both extremes, it would so far accomplish a most beneficial object. I might, I think transfer, a little of the fluctuation from the factory to the stock-room, with great advantage to the operatives, and consequently to the public at large. As I am unable to give any general and uniform account of the hours of labour now endured in these factories by little children, I am unwilling to present to the House extreme cases, although it is the bounden duty of Parliament to provide against such; as it does, for example, with respect to atrocious, crimes, which, I trust, are still extreme cases in civilized society. I shall, therefore, only give one instance, which I have from good authority, of the extent of oppression to which the system is occasionally carried.

The following were the hours of labour imposed upon the children and young persons employed in a certain establishment last summer. Monday morning commence work at six o'clock; at nine, half an hour for breakfast; begin again at half-past nine, and work till twelve. Dinner one hour; work from one till half-past four. Drinking (afternoon meal), half an hour; work from five till eight, rest half an hour; work from half-past eight till twelve (midnight), an hour's rest. One in the morning till five, work; half an hour's rest, half-past five till nine; breakfast; half-past nine till twelve. Dinner; work from one till half-past four. Again, from five till nine o'clock on the Tuesday evening, when the labour concluded, and the gang of adult and infant slaves was dismissed for the night, after having toiled thirty-nine hours, with nine intervals for refreshment (but none for bed), amounting to six hours only in the whole. Wednesday and Thursday, day work only. On Friday morning till Saturday night, the same labour repeated, with the same intermissions, as endured on Monday, Monday night, and Tuesday; only the labour of the last day closed at five, when the poor wretches were dismissed. The ensuing day, Sunday, must, under such circumstances, be a day of stupor, to rouse the children from which would often only be to continue their physical sufferings without the possibility of compensating them with any moral good. And clergymen, Sunday schoolmasters, and other benevolent persons, are beginning to see and feel this to be the case: parents, wishful as they are that their offspring shall have some little instruction, are yet more anxious that they should have rest. Sunday schools have long been rendered absolutely necessary by the manufacturing system, which has necessarily emptied the day-schools for the poor, wherever it prevails; but, not content with monopolizing the whole week with protracted labour, it has now anticipated the Sabbath itself, and rendered it a day of languor and exhaustion, in which it is impossible that due instruction can be received, or the solemn duties of the day duly performed—in fact, a mere fallow of the worn-out frame, that it may produce another exhausting crop of human labour. If some limits, therefore, are not prescribed to these constant and cruel encroachments, the results may be easily predicted—our labouring population will be ere long imbruted with ignorance, as well as enslaved by excessive toil.

I now proceed to show the consequences of this dreadful system, physical and moral; and as on this important part of the subject I am aware that I shall be at issue with its supporters and apologists, I shall appeal to authorities which none will be disposed lightly to dispute, but, above all, to facts, decisive, as I think, of the whole question—facts which I shall challenge them to controvert or evade. Sir, the authority to which I allude is that of such men as the late Dr. Baillie, Sir Astley Cooper, Sir Gilbert Blane, Dr. Pemberton, Sir Anthony Carlisle, Sir George Tuthill, and many other physicians and surgeons of the highest eminence and celebrity throughout the profession, especially so for their physiological science. Sir, the deliberate opinions of these distinguished persons on the subject under our consideration are contained in these volumes. I cannot read them, nor even select parts from them. Let it suffice for me to say, that they are strong and unanimous against the system of the early and protracted labour of children and young persons. I appeal to the whole of them in favour of this Bill, or rather, indeed, of a limitation far beyond what that Bill secures; so that, when I advert to their deliberate and recorded opinions, I feel a growing dissatisfaction every time I reflect upon its provisions. Sir, many of these distinguished persons still survive. If you institute new Committees of Inquiry, you must again appeal to them; and do you suppose they will contradict their former opinions? Other medical authorities of great eminence have since then appeared, whose views I know in many instances to be, if possible, still more marked and decided upon this important point; and can it be a question, I would ask the House, whether we ought to tolerate a degree of infantile labour which our most eminent medical authorities assure us the human frame is utterly incapable of sustaining with impunity?

If it be objected that these individuals, however great and distinguished, have no practical knowledge of the factory-system and its effects, I will next turn to another description of evidence, namely, to that of professional gentlemen practically acquainted with it, and long residing in its very seat and centre—Manchester. The first is a name equally dear to philosophy and philanthropy, and long without a rival in his profession, in that part of the empire—Dr. Percival. He saw the rise, progress, and effects of the system; and, surrounded as he was by, and connected with, many who were making rapid and vast fortunes by it, still he expressed himself upon it, both as a professional man and a patriot, in terms of the strongest indignation. I regret that time will not permit me to quote his remarks; but who, that is acquainted with general literature, can be ignorant of the writings of Percival of Manchester? I will refer the House to another authority, belonging to a different branch of the same profession, and scarcely a less celebrated one—I mean the late Mr. Simmons. After nearly thirty years' experience in the General Infirmary of Manchester, and being also at the head of other charitable institutions in that town connected with his profession, few men, I should conceive, were more competent to speak as to the effects produced by the factory-system than himself. I must again deeply regret that I cannot quote his opinions at length: his description of the consequences of this species of over-exertion is most appalling; and he adds these emphatic words—"I am convinced that the hours of employment are too long to be endured at any age." Speaking of the evils of the system, he says—"I shudder at contemplating them. I might multiply these authentic and affecting testimonies to almost any extent." I will, however, present, in as few words as possible, the general effects, as described by medical men, of these long hours of confinement, without sufficient intervals for food, recreation, and rest, and continued often through the night in rooms artificially heated, lighted by gas, in which the atmosphere is also otherwise so polluted and offensive as to render it, as it is stated, by respiration even for a few moments, painful. They attribute to this system of labour, in many cases—first, languor, debility, sickness, loss of appetite; pulmonary complaints, such as difficulty of breathing, coughs, asthmas, and consumptions; struma, so common in factories, and other chronic diseases; while, if these more distressing consequences are not produced, the muscular power is lessened, the growth impeded, and life greatly shortened. Deformity is also a common and distressing result of this overstrained and too early labour. The bones—in which the animal, in contradistinction to the earthy matter, is known to prevail in early life—are then pliable, and often cannot sustain the superincumbent weight of the body for so many hours without injury. Hence those of the leg become bent; the arch of the foot, which is composed of several of those of a wedge-like form, is pressed down, and its elasticity destroyed, from which arises that disease of the foot only lately described, but common in factory districts. The spine, also, is often greatly affected, and its processes irregularly protruded, by which also great deformity is occasioned. The tendons also fail, by over-pressure and tension. Hence the hinge-joints, such as those of the knee and the ancle, are overstrained, producing the deformity called knock knees and lame ancles, so exceedingly common in mills. Thus are numbers of children distorted and crippled in early life, and frequently rendered incapable of any business whatever. Again, the overworking of these children and others occasions a wearisomeness and lethargy, which it is impossible always to resist; hence, drowsy and exhausted, the poor creatures fall too often among the machinery, which is not always sufficiently sheathed, when their muscles are lacerated, their bones broken, or their limbs torn off, in which case they are sent to the infirmaries to be cured, and, if crippled for life, they are turned out and maintained at the public cost; or they are sometimes killed upon the spot, when, of course, they are burthensome neither to themselves nor the public any longer. I have myself known, in more instances than one, the arm torn off, in one horrible case, both arms were forced away from the body; and a poor girl now exists upon a charitable subscription, who met with that dreadful accident at one of the flax-mills in my neighbourhood. In another factory, and that recently, the mangled limbs of a poor boy were sent home to his mother, unprepared for the appalling spectacle. I will not describe the result. It is true that a great majority of these accidents are of a less serious nature; but the books of the infirmaries, in any manufacturing district, will show the number, as will also their accounts, the expense of buying irons to support the bending legs of the young children who become crippled by long standing in mills. Dr. Ashton and Surgeon Graham, who examined six mills in Stockport, in which 824 persons were employed, principally children, have reported the result individually, and a more melancholy list few hospitals, I think, could furnish. The particulars would deeply affect the House, but I must only give the totals. They are as follows:—Of these 824, 183 only are pronounced healthy, 240 are stated to be delicate, 258 unhealthy, 43 very much stunted, 100 with enlarged ancles and knees, and among them were 37 cases of distortion. The accidents, I believe, are not noticed; but I find that Dr. Winstanley, one of the physicians of the Manchester Infirmary, on examining 106 children in a Sunday-school, found that no less than 47 of them had suffered accidents from this one cause; and, Sir, I have this morning received a letter from one of the most eminent surgeons in this metropolis, and, consequently, in the world, in which he informs me, that, on making a tour through the manufacturing districts some years ago, he was painfully struck with the numerous cases of mutilation which he observed, and which he attributed to this too long and wearying labour in mills and factories.

Of the mortality which this system occasions I shall speak hereafter. Can any thing, then, darken the picture which I have hastily drawn, or rather which others infinitely more competent to the task have strikingly pourtrayed? Yes: and that which remains to be added renders it the most disgusting, as well as distressing system, which ever put human feelings to the utmost test of endurance. It has the universally recognized brand and test of barbarism, as well as cruelty, upon it. Sir, it is the feebler sex principally on which this enormous wrong is perpetrated. Female children must be laboured to the utmost extent of their physical powers, and, indeed, frequently beyond them. Need I state the disgusting cruelty, the peculiar hardships which this involves? I speak not, poor things, of the loss of their beauty—of the greater sufferings to which their sex exposes them. But, again taking with me the highest medical authorities, I refer to those consequences of early and immoderate labour which are felt when they become mothers, for which, I fear, their previous pursuits have but poorly qualified them. It is in evidence that long standing has a known tendency—how shall I express it—*contrahere et minuere pelvem*—and thereby to increase greatly the danger and difficulty of parturition, and render embryotomy, one of the most distressing operations which a surgeon has ever to perform, frequently necessary. I have more than once had communication upon this subject with persons of the highest respectability, and of great professional experience. I confess, therefore, that I feel my indignation roused when I see papers put forth in which it is stated as a recommendation, forsooth, of the present system, and as a reason why it should by no means be regulated, that in certain mills girls are principally employed. This is a matter of exultation! I would ask those who so regard it, in the language of the poet, "Art thou of woman born, and feel'st no shame?"

Nor are the mental, any more than the physical, sufferings of these poor young creatures to be overlooked. In the very morning of life, when their hearts yawn within them for some little relaxation and amusement, to be thus taken captive, and debarred the sports of youth, is almost as great, nay, a greater cruelty than to inflict upon them thus early the toil of advanced life. Their fate, alas, reverses the patriarch's pathetic exclamation, and their infant days are labour and sorrow.

But, Sir, some may be tempted to suspect the accuracy of certain of the foregoing statements, from their improbable character. It may be thought almost impossible that children should be assembled thus early, and dismissed thus late, and still kept through the whole period in a state of active exertion. I will attempt to explain these facts. First, then, this early and punctual attendance is enforced by fines, as are many other regulations of a very severe character; so that a child may lose a considerable part of its wages by being a few minutes too late in a morning: that they should not leave too soon is very sufficiently provided against. Now this extreme punctuality is no slight aggravation of the sufferings of the child. It is not one time in ten, perhaps, that the parent has a clock, and if not, as nature is not very wakeful in a short night's rest after a long day's labour, the child, to ensure punctuality, must be often roused much too early. Hence, whoever has lived in a manufacturing town must have heard, if he happened to be awake, many hours before light on a winter's morning, the patter of little pattens on the pavement, continuing, perhaps, for half an hour together, though the time of assembling was the same. And then, Sir, the child is not always safe, however punctual; for in some mills two descriptions of clocks are kept, and it is easy to guess, therefore, how they are occasionally managed. So much for the system of fining: by which, I am told, some mill-owners have boasted that they have made large sums annually.

Then, for the purpose of keeping the children awake till late in the evening, or during the night, as the case might be, and in order to stimulate their exertion, means are made use of, to which I shall now advert, as a last instance of the degradation to which the system has reduced the manufacturing operatives of this country. Sir, children are beaten with thongs prepared for the purpose, and wielded by certain of the overseers. Yes, the females of this country, no matter whether children or grown up—I hardly know which is the more disgusting outrage—are beaten upon their face, arms, and bosoms—beaten in your free market of labour, as you term it, like slaves. These are the instruments. [Here the hon. Member exhibited some black and heavy leather thongs, one of them fixed in a sort of handle.] They are quite equal to breaking an arm, only the bones of the young are, as I have before said, pliant. The marks, however, of the thong, are long visible; and the poor wretch is flogged before its companions—flogged, I say, like a dog, by the tyrant overlooker. Sir, we talk of the cart-whip of the West Indies, but let us see, this night, an equal feeling rise against the factory-thong of England. Is it necessary that we should inquire, by means of a Select Committee, whether this practice is to be put down? Sir, I should wish to propose a clause in this Bill, enacting that the overseer that dares to lay it on the almost naked body of a child, shall tread the wheel for a month; and it would be only right if the master who, knowingly tolerates the infliction of this cruelty on abused infancy, this insult upon parental feeling, should bear him company. But the entire system, as now conducted, has not merely its defenders, but its eulogists. Hence, in a celebrated review, in which its rise and progress are discussed, we find this opinion delivered with the utmost confidence. "We scruple not to say, that the health, morals, and intelligence of the population have all gained by the establishment of the present system." That this ought to have been the result, I have already said; that it will be so, I confidently hope: but it can only become so by adopting regulations of the nature now proposed. Health, morals, and mental improvement can never consist with constant confinement, and excessive labour imposed upon any class of the community, much less upon its youth. That the general intelligence has increased, I fully believe; so it would have done under any system; so it has in almost any country, whether manufacturing or otherwise. And I claim this increasing intelligence in favour of the regulation which I propose, for it has declared in favour of this measure with a force and unanimity rarely known on any other subject.

As to public morals, alas, what has been gained by this excessive slavery of the juvenile part of the manufacturing population? It is during the present century, as the article in question shows, that the system has so greatly increased. The number of the criminal committals has been annually furnished since the year 1805; let us then turn to those important facts for proof upon this subject. In the metropolitan county, including London, in which, if any where, one, of course, expects to find the number excessive, and the increase great, we see that the average of the three first years was 1,192, that of the three last years 3,491 nearly threefold! But in Lancashire (including its rural hundreds) the average of the same years has increased from 369 to 2,088 nearly sixfold. The average proportion of the committals of England, exclusive of these two counties being near almost one in 1,255; those of Lancashire one in about 550 annually. Where is this to end? As to that species of immorality not cognizable by law, I fear that had we equally precise information, we should find that it would afford us as little ground for exultation. Not to mention minor offences, the practice of tippling and drunkenness has astonishingly increased, and has been accompanied by an indecency not formerly known among us; women and children publicly indulge in this vice: such are the degrading effects of the system. As to debauchery of another kind, it would be absurd to deny, I never did hear it denied, that the mills, at least those in which night-working is pursued, are in this respect, so many brothels. Yes, Sir, the science of human physiology has been, I may say, disgustingly advanced, and has been able to demonstrate how extremely near the confines of actual childhood the human female may become a mother, from the disgraceful facts which have occurred in certain of these mills and factories. Indeed, it is in evidence, on the authority of medical men conversant with that state of society, that the period of puberty is unnaturally anticipated, and those early marriages contracted which are in every point of view indecent and disgraceful. But these early marriages are, nevertheless, in such a state of things, the best alternative for the parties and the public. Thus we find for instance, that where the same system prevails in France, namely, at Rouen, without the same effect in regard to early marriage, that to every seventy-six legitimate births, there are twenty-four illegitimate ones, a state of immorality only exceeded by the capital of that country always amazingly profligate in that respect.

But, not to dwell upon this revolting part of the subject, I will, lastly, advert to the alleged improvement in the health of the people thus engaged. I shall determine this important point by referring to the principal seat of the system, Manchester, especially as the surprising longevity of that town has been over and over again asserted, in proof of the incalculable advantage of the factory system as now conducted in every possible point of view. Speaking of the general health of that town, I, of course, refer to that of the operatives, and not of the higher and more opulent ranks—and, in determining this, I shall still refer to medical authority, and statistical facts, and not to loose and unfounded opinions. I take, then, this tract, just published, entitled, "Remarks on the Health of English Manufacturers, and on the Need which exists for establishing for them Convalescent Retreats." It is written by Mr. Robertson, a gentleman well known in the medical world, and author of previous works of deserved celebrity. He rebuts Mr. Senior's assumption as to the great improvement which has taken place in our manufacturing population, founded on a series of gross mistakes; and says of these so much improved operatives that "the nature of their present employment renders existence itself, in thousands of instances, in every great town, one long disease." He states, regarding Manchester, that during the last year, (1830) the patients admitted at the four great dispensaries amounted to 22,626, independently of those assisted by the other charitable institutions, such as the infirmary, &c., amounting in all to at least 10,000 more. To this he adds other calculations, which bring him to the conclusion that "not fewer perhaps than three-fourths of the inhabitants of Manchester annually are, or fancy they are, under the necessity of submitting to medical treatment." He describes at some length, and with great force and feeling, the evils of the factory-system, and attributes to it what he describes as the astounding inebriety of the population, who have recourse, after long and exhausting toil, to that means of kindling a temporary sense of vigour and comfort. He states the lamentable effects, in other points of view, which are thus produced, and the want of moral and mental improvement with which it is necessarily accompanied. He says that the present manufacturing system "has not produced a healthy population; neither one well instructed and provident; but one, on the contrary, where there exists always considerable and sometimes general poverty, and an extraordinary amount of petty crime: that in several respects they are in a less healthy and worse condition than at any period within the last two centuries." I will give an appalling proof of this general misery and degradation. It appears that, during the last year, there were delivered by the lying-in charity of Manchester, no less than 4,562 poor married women, or, far more than half the mothers of Manchester are assisted by public charities—in a word, that nearly three-fifths of the children of that town are thus branded with the stigma of pauperism at their very birth. If it be supposed that the institution referred to is too indiscriminate in its charity, I will quote in reply the authority of the same individual: "An overwhelming majority," he asserts "of the persons so relieved are in a state of incredible destitution!" So far this judicious and humane writer. I proceed to prove his assertions by still stronger facts.

The main, and, as it has hitherto been held, triumphant defence of the present system of excessive infantile labour, has been placed upon the assumed longevity of Manchester. And had what has been asserted in this respect been true, or at all approaching to the truth, the argument would have been doubtless settled in its favour. Thus we find it stated over and over again that the mortality, which had kept diminishing for half a century, had in 1811 fallen as low as one in seventy-four; and that the proportion in 1821 was still smaller. It is asserted, I see, in a petition from Keighley, against this Bill, that this proportion is one in fifty-eight. It is true, that every community to which large numbers of emigrants, principally in the active periods of life, are constantly added, will exhibit a diminished proportion of deaths, without that circumstance at all proving any real increase in the general health and longevity of the place. But the above proportions were, nevertheless, so extravagant, and the argument founded upon them so important, that I determined to give the subject the most careful and impartial examination. I have done so, and these are the results. Taking the whole parish of Manchester, and so far therefore doing great injustice to my argument, as that parish contains, I think, nearly thirty townships, some of which are principally agricultural; but taking the whole parish, I find that in the Collegiate Church there, and in six other Churches; in the two Churches of Salford; in those of Chorton-row, now part of the town; and in the eleven chapelries, including the interments in the Roman Catholic and other dissenting burial grounds, there were interred between the years 1821 and 1830 inclusive, 59,377 individuals. The mean population of the whole parish (i. e. the geometric mean, in order to be as exact as possible) was, during the same period, 228,951. Now the burials are defective, one Church, (that of St. Peter's) being omitted, and, I think, other burial grounds also—but does the numbers actually returned give a proportion of one in seventy-four? No, Sir, they give a proportion of one in thirty-seven, nine-tenths as the annual mortality of the entire parish of Manchester. In Salford the number of deaths, during the same term, was 9,966—the mean population having been 32,421, or one death in every thirty-two and a half! And this in a population, let me again repeat, increasing immensely by emigration. But a vast super-proportion of this mortality, we may be assured, rests upon the poor; for nobody disputes that the longevity of the wealthier classes has, in the mean time, greatly improved. Thus in Paris, a large and unhealthy city, where the mortality, however, is, I think, less than one in forty-two. Dr. Villerine found that in the first arrondissement where the wealthier inhabitants principally reside, only one in fifty died annually; while in the twelfth, principally inhabited by the poor, the proportion was as great as one in twenty-four. Apply this reasoning, or rather fact, to the mortality of Manchester, and then let us hear what can be said concerning the poor manufacturers of that place. Sir, it proves to the very letter all that has been advanced concerning the effects of infantile and long protracted labour, which not only enfeebles, but sweeps to their untimely fate, so vast a proportion of the population.

But, on a point of such paramount importance, and so entirely decisive of the argument, no species of evidence ought to be wanting. I have, therefore, examined the forthcoming census of Manchester with great care—I mean that part of it in which the registered burials are given, together with the ages of the interred; and I have compared the proportion of those buried under the age of forty, and those buried above that age, with the corresponding interments of the immensely larger cities of London and Paris, taking the ten years in the former instance, and one intermediate year in the two latter, without any selection whatsoever: these are the results:—to every 100,000 interments in each of these places under forty, there would be above that age, in London, 63,666; in Paris, 65,109; in Manchester, 47,291 only; in other words, 16,375 fewer would have survived that period in Manchester than in London, and 17,818 fewer than in Paris. Can anything, then, be truer than the complaint of the operatives of that place, that few of them survive forty; and where is the man that dares to oppose the effectual regulation of so murderous a system?

In the census of 1821, the population of England was generally given according to the different ages of the people. Manchester, however, furnished no such information; otherwise, I am persuaded, another argument might have been adduced demonstrative of the same melancholy fact. But I have examined the censuses of the hundreds of Salford, of Macclesfield, which includes the towns of Macclesfield and Stockport, containing, therefore, a great number of mills also, and I have compared them with other places; and calculating upon the number of children under five, the proportion which arrived at the different divisions, and especially at the more advanced periods of life, I find that wherever the present system prevails, the most melancholy waste of human existence is clearly demonstrated. These calculations I hold in my hand, but I will not weary the House with giving them in detail.

I cannot, however, refrain from giving the results of one of these, as it disposes of the confident assertion as to the supposed improvement of the manufacturing community. In 1780, the celebrated Dr. Heysham enumerated the population of Carlisle with great care, and divided them into classes according to their ages. In 1821 a similar enumeration took place. In the meantime, the great discovery of vaccination had been made, of such immense importance in these calculations. But what is even that, and all the acknowledged improvements in medical science, compared with the effect of our manufacturing system as at present pursued? Let the following facts answer that question. Calculating on the first division of the population at each period, namely, that under five, and assuming the women to be 1,000, there were, in 1780, from five to twenty years old, 2,229; in 1821, 2,107; between twenty and forty, in the former period, 2,143; in the latter, 1904; above forty, in 1780, 2,084; in 1821, 1,455 only.

Again, between the years 1779 and 1787 inclusive, Dr. Heysham gives the number of interments in Carlisle, which amounted to 1,840, of which 1,164 were of persons under forty years of age, and the remaining 676 above that period of life. On examining the census about to be published I find that, between the years 1821 and 1830 inclusive, there have been buried in the same place 3,025 under forty, and 1,273 above. Now, in the former period, therefore, there would be to every 10,000 deaths under the age of forty 5,808 above that age; whereas, in the latter, the proportion has been 4,208 only. The only way to evade the conclusion to which these facts conduct us is, to suppose that the population has advanced with far greater rapidity since the former period then previously to it; but this supposition would imply gross ignorance of the facts. The population of Carlisle was enumerated in 1764, and it is clear that it had been increasing more rapidly before 1780 than it has done since. But in Carlisle, as everywhere else, the greatest proportion of mortality falls upon the poor; the extension of life, as far as regards the upper classes of society, has evidently increased. What, then, becomes of the statements of the great improvement among our manufacturing poor, with facts like these before our eyes?

I could multiply these proofs of the effects of the system to a great extent. I have them here [showing his papers], but time will not permit me to avail myself of them: nor can it be necessary. I have taken up the challenge regarding the effects of the system as now pursued, as given by its eulogists, and have contested the cause of humanity, as I trust I may call it, in the very arena, and with the weapons which themselves have chosen—the prosperity, health, and longevity of the operatives of Manchester. I have shown that the same results accompany the same system wherever pursued, namely, slavery, profligacy, crime, disease, and death! Transfer the system to the whole country, and then contemplate its effects: those effects are seen rapidly developing themselves as it advances. Infantile labour leads to immature marriage, which crowds the generations upon each other, and, together with the great discoveries in medicine, may have increased the numbers of the people; but, as far as the system has prevailed, it has diminished the athletic and active proportion of them, and given us in their stead a weak, stunted, and degenerate race, and so lessened the relative proportion of those who have to bear the general burthen, and fight the battles of the country. On this latter point I could offer some instructing facts as to the difficulty of passing recruits wherever this system prevails, were such evidence necessary; but I would rather point at its more obvious and general effects. Look, then, I say, at the miserable condition of the feeble beings which are at once its instruments and victims. Supposing that it has increased our numbers, in the emphatic language of the Sacred Volume, "It has multiplied the people, and not increased their joy." I invoke, therefore, the justice, the humanity, the patriotism of this House: the feelings of the country are already roused; I call upon Parliament to assist, by this measure, to lighten the load of an oppressed people, which bows them and their very children to the dust; I call upon it to break the bonds of infantile slavery, and snatch the scourge from the task-master of the country.

The principle features, then, of this Bill for regulating the labour of children and other young persons in mills and factories, are these:—First, the inhibiting of the labour of infants therein under the age of nine; the limitation of the hours of actual work of children from nine to eighteen years of age to ten hours, exclusively of time allowed for meals and refreshment, with an abatement of hours on the Saturday as a necessary preparation for the Sabbath; and the forbidding of all night work under the age of twenty-one. Sir, in this Bill I have left out many important provisions, important at least in my view of the subject, in order to obviate, if possible, multiplied objections, and secure the attainment of its main object. Thus I had drawn up a clause subjecting the mill-owner or occupier to a heavy fine when any serious accident occurred in consequence of any negligence in not properly sheathing or defending the machinery. I had meant to have proposed a remission of an hour of each day's labour for children under fourteen, or otherwise six hours on one day in every week, for the purpose of affording those who are thus early and strangely forced into the market of labour some opportunity of receiving the rudiments of instruction and education, the expense of which upon the modern system would have been nothing, especially if shared between the mill-owner and the parish; above all, I contemplated a clause putting down night labour, at whatever age, at once and altogether. And none of these, I think, are half so extravagant, if duly considered, as the demands now made upon youthful labour, involving as they do the sacrifice of pleasure, health, improvement, and life itself. But, Sir, in order, I repeat, not to endanger the main object I have in view, and feeling assured that the present attempt is only the commencement of a series of beneficent measures on behalf of the industrious classes, all I propose to the House on the present occasion is, the remission of infant and youthful labour to the extent already explained.

And, first, as to the period of life at which the Bill permits children to be laboured in factories, viz., nine years old. I will spend but little time in defending this provision. I will only observe, that our ancient statutes, not always peculiarly favouring the condition of poverty, have not been neglectful of this matter. The 23rd of Edward 3d, if I mistake not, assumes that a male child under fourteen, is *non potens in corpore*; and the same of a female child under twelve. In the 5th of Eliz., however, I think that period was fixed at twelve years for both sexes, previously to which they were deemed *non potentes in corpore*. And I may further observe, that another humane provision of certain of these statutes was, the hiring of these young persons by the year, so that they might not be turned adrift, even in sickness, at the pleasure or convenience of their employers. But, to return; the late Sir Robert Peel's Bill originally fixed upon the age of ten, which was ultimately reduced to that of nine, where the present measure leaves it. And where is the individual, if disinterested and humane, that will contend that this is not early enough for these poor creatures to commence their miserable career of labour and sorrow? Then, as to the daily duration of their labour before they arrive at years of discretion, namely, these ten long hours, which, with the necessary intervals, stretch the term to at least twelve. Is not this sufficiently severe? Sir, it is the very extent contemplated for the same class, and about the same age, by the late Sir Robert Peel; and at a period when the professions of humanity are so much louder than formerly, when the penal code of crime has been revised so much, and mitigated so often, that there should be no amelioration proposed in the penal code (for such, I am sure, I may term it) of infantile labour seems indeed strange. The term proposed, I repeat, is that fixed upon by the truly benevolent and enlightened individual just alluded to. His words, on introducing his last measure in 1815, (I quote from Hansard's Parliamentary Debates of that period) are these:—'What he,' Sir Robert Peel, 'was disposed to recommend was, 'a regulation that no children should be 'so employed under the age of ten years, 'either as apprentices or otherwise, and 'the duration of their labour be limited 'to twelve hours and a half per diem, in'cluding the time for education and meals, 'which would leave ten hours for laborious 'employment;'* arguing, that it was not so much the hardship as the duration of labour that was so injurious. I think it would be almost an insult to the House to appeal to authorities in proof that this is enough labour for any age to endure—abundantly sufficient for infancy and youth. A few medical authorities, however, I will quote, who delivered their opinions before Sir Robert Peel's Committee.

Dr. Jones, a physician of much experience, asserts, that "eight or nine hours are the longest period that he could sanction." Dr. Winstanley, physician of the Manchester Infirmary, affirms that eleven hours could not be endured without injury. Mr. Bautflower, an eminent surgeon of the same place, says, that "ten hours are amply sufficient." Mr. Ogle, another experienced individual of the same profession, says, that eight or nine hours are sufficient. Mr. Simmons, the senior surgeon of the Manchester Infirmary, declared, in reference to the employment under consideration, that the hours of working of a person under sixteen, exclusive of the time allowed for meals, ought not to exceed nine hours in winter, and ten in summer; and he adds that to which I call the attention of the House: "It may become a question," says this eminent and experienced person, "whether, with impunity, the strength of adults is capable of much longer exertion than this." Sir Gilbert Blane says, that, under ten, he "should have no objection in sanctioning five or six hours, and, at a more mature age, ten hours, if not sedentary." I might multiply these authorities at pleasure, but I will close them with the opinion of a physician, after whom, I conceive, few could be quoted with advantage—I mean the late Dr. Baillie. He says, beyond ten hours a day, there ought to be no increase of labour. "I think," says he, "ten hours of confinement to labour, as far as I can judge, is as much as is compatible with the perfect well-being of any constitution."

But these appeals appear to me to be most affecting, whatever has been their result. Is there not, Sir, something inexpressibly cruel—most disgustingly selfish—in thus attempting to ascertain the utmost limits to which infant labour and fatigue may be carried, without their certainly occasioning misery and destruction—the full extent of profitable torture—and in appealing to learned and experienced doctors to fix the precise point beyond which it would be murder to proceed. Are we to treat innocent infancy, then, like the poor soldier, who receives his punishment under the eye of the regimental surgeon, lest he should expire beneath the lash? But, Sir, horrible to relate, these eminent men have stood over fainting infancy, and have long since forbade the infliction, which has, nevertheless, been continued, till scores of thousands have expired under it. They discharged their duty; they said ten hours a-day were fully sufficient. That term has been exceeded, and I have shown the fatal consequences.

If it be still necessary to sanction the term of labour they have fixed, I will appeal to general experience, which, after all, on a point like this, is better than all authority. Hence, in every other description of labour, (excepting, perhaps, some particular branches, identified with the very system under consideration) twelve hours a-day, deducting at least the intervals this Bill also prescribes, is the utmost duration of labour that the master dreams of demanding, or the workman of enduring. Such is the case in agriculture. Look at the county reports, and you will find, that these are the utmost limits in summer, excepting during a few weeks in harvest, and that they are diminished in winter, so as to correspond with the shortening day, averaging, perhaps, throughout the year, not more than eight or nine hours of actual work. The same rule obtains among all those workmen and artisans whose pursuits are most essential to human existence, such as masons, carpenters, bricklayers, and others. Nor is it either humane or patriotic, as an eminent medical writer has remarked, to tempt them to those protracted exertions, which are often endured at the expense of health, and bring on premature decay. And, Sir, this natural regulation prevails every where, and has been observed in all ages. Thus, if we open the most ancient volumes, we shall find that twelve hours still, including the necessary intervals, constitute the longest day of human labour, which is still curtailed as the natural day shortens, and as this limitation is dictated by the law of nature, so also is it affirmed by the law of God. Hear, then, the divine institution in this matter. "Thou shalt not oppress an hired servant that is poor and needy, whether he be of thy brethren, or of thy stranger that is in thy land within thy gates. At his day thou shalt give him his hire, neither shall the sun go down upon it, for he is poor, and setteth his heart upon it, lest he cry against thee unto the Lord, and it be sin unto thee." "Are there not twelve hours in the day? The night cometh when no man can work," is reiterated by still higher authority. Yet, though man cannot—will not—yet, says this system, children shall. I ask, however, whether it be right to work weak and helpless children in this country longer than adult labourers and artizans in the prime of life, in any age or country, have consented to endure?

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* Vol. xxxi, p. 624.

Sir, I make a second appeal in behalf of these children. I appeal to the utmost labour imposed upon criminals and felons, sentenced to expiate their offences—often of an atrocious character, and almost always perpetrated by the daring and powerful in the prime of life—in the gaols, houses of correction, bridewells, or other places of confinement and punishment in this kingdom. Sir, the law even regarding these provides, that justice shall not degenerate into cruelty, and, therefore, limits the power of its own ministers thus: "Every prisoner sentenced to hard labour shall, unless prevented by sickness, be employed so many hours a day, not exceeding ten, exclusive of the time allowed for meals, as shall be directed by the rules and regulations to be made under this Act," excepting on Sundays and other holidays which it enumerates. Sir, I have examined the whole of these regulations, and find that the average labour imposed falls far short of the limits prescribed by this Bill. Even the convicts at the hulks, I am informed, are only worked, in winter, from eight in the morning as long as daylight lasts; and, in summer, from seven in the morning till six in the evening; from which, time is allowed, in both seasons, about an hour and a half for meals, making, therefore, the duration of their actual labour, in summer, nine hours and a half, and in winter, perhaps, two hours less. But the law, I repeat, limits that which is to be their punishment, their labour, to ten hours at most. Secondly, then, I ask whether it is right thus to give a premium to crime, and to punish innocence by labouring children longer than the law permits adult criminals and felons, whose labour constitutes their punishment.

Lastly, Sir, I appeal in behalf of these children to the protection afforded to the slaves of our West-India colonies. By the Orders in Council, bearing date the 2nd of November last, the labour of the slaves, by whomsoever owned, in all the Crown colonies of England, is regulated as follows: First, by section 90 of those Orders, no slave, of whatever age, is to be worked in any agricultural, or manufacturing labour in the night, but only between six o'clock in the morning, and six o'clock in the evening. By section 91, all such slaves are "entitled to an entire intermission and cessation of every description of work and labour, from the hour of eight till the hour of nine in the morning, and from the hour of twelve till the hour of two in the afternoon of each and every day throughout the year." Hence no slaves can be wrought more than nine hours in any one day. So much for the adult slaves. But, by the succeeding section, 92, it is ordered that "no slave under the age of fourteen, or above the age of sixty, shall be compelled or required to engage in or perform, any agricultural work or labour, in any of the said colonies, during more than six hours in the whole in any one day."

Passing over many other beneficent regulations, I can hardly restrain my indignation within due bounds while I lastly appeal to the regulations regarding these slaves, and advert to those proposed in favour of British children, which are, nevertheless, vehemently opposed. I compare not the English child with the African child, but I ask this House and his Majesty's Government, whether it would not be right and becoming to consider the English child as favourably as the African adult. You have limited the labour of the black to nine hours, but when I propose that the labour of the young white slave shall not exceed ten, why the proposition is deemed monstrous.

Sir, I might lastly appeal to our treatment of the brutes. Acts of Parliament have indeed protected these from cruelty infinitely less than that which we tolerate this system in constantly inflicting. But selfishness in this instance acts as the guardian of the animal creation, and renders such laws almost unnecessary. The gentleman will not ride his hunter before he is full grown, nor does the farmer yoke his yearling foal to the plough, and scourge it forwards as many hours, and even more, than the full-grown colt would bear. No; it is the factory-child alone that is thus treated. But I contend that, even as regards the being esteemed so utterly worthless, it is detrimental to the mere interests of the employer to pursue so cruel a course. Beyond certain limits human industry and attention cannot be profitably stimulated. When those limits are passed what remains, but that imperfect service, equally distressing to the employed and unprofitable to the employer; and the oppressor may be well addressed in the words of the poet—

"Thou canst not take what nature will not yield,
Nor reap the harvest tho' thou spoil the field."

But, in the sober language of prose, I can assure this House, that manufacturers have often confessed, that this excessive labour of their people has been rarely profitable, though they have been urged on to such a course by the rivalry and competition which the system creates. If, however, this practice were ever so profitable, no gains, however ample, no prosperity, however permanent, could justify so cruel and destructive a practice.

Sir, I have not time to enter upon those arguments which the advocates of the present system advance in its favour, nor to refute the objections which they perpetually urge against its proper regulation. They are precisely the same as those put forth by the planters in the Crown colonies against the amelioration of the condition of the blacks and their children, already referred to. In both instances, the capital engaged—the competition to be feared—the irritation which will be produced—the superior condition of those to be protected, are, in both cases, assumed. The capability of children above a certain age to endure long labour, as well as adults, is equally asserted; and, above all, the coincidence of the request from both quarters for a Select Committee is also remarkable. But how have Government met this proposition in each case? Most dissimilarly. As regards the slave, they have declared that inquiries have been pursued long enough, and that they need no further information to enable them to legislate on "the eternal obligations which religion founds upon the law of God." Such are the words of the noble Secretary for the Colonies. Would to God this reasoning and feeling were transferred to these poor oppressed children, slaves in all but name, who now demand our protection. I conceive that, then the eternal obligation which religion founds upon the law of God would suffice to teach us our duty, without committing our consciences to the keeping of a Select Committee.

Sir, another objection of some of the opposing mill-owners I will briefly notice. They cannot consent, forsooth, to an abridgement of the long and slavish hours of infant labour, because of the Corn-laws. Why, these individuals, some of them, not originally, perhaps, of the most opulent class of the community, have, during the operation of these laws, rapidly amassed enormous fortunes; yet, during the whole period they have never found an opportunity, either of increasing the wages or diminishing the toil of these little labourers, to whom they owe every farthing they possess; they have constantly done the reverse—and they talk of Corn-laws as their apology. "This is too bad." Can any man be fool enough to suppose that, were the Corn-laws abolished to-morrow, and every grain we consume grown and ground in foreign parts, that such individuals would cease to "grind the faces of the poor?"

I had meant to have noticed the attempts made to excite the fears of the working classes, regarding the diminution which it is asserted will take place in their wages if the excessive labour of themselves or their children be abated; but time does not admit—we may safely leave that point to be settled by their intelligence and experience. They know what their slavish toil has led to, and they have far less to dread, even in this respect, from over production than from a natural supply of the articles which their industry alone produces. But their opposition to this measure, it seems is grounded on philanthropic considerations alone. The loss say they, will fall upon the poor whose wages will be diminished just in proportion as their extravagant labour was moderated, I rather doubt this assertion; on the contrary I have often heard from great authorities upon political economy; and were they threatened (as indeed they now were) that their wages will be diminished, and their means of subsistence still more abridged, that severe as are their present distresses, the furnace of their affliction should be heated one seven times more than it was wont to be heated; they have taken their firm resolve they will not bow down to the Golden Image, they will not sacrifice their children to Moloch, and where is the father, the patriot, the Christian, that does not glory in that resolve, and what doubt can exist, that if this House is constituted of such, their cause will triumph?

I must apologize to this House for having so long occupied its time and attention. I owe, however, a deeper apology to those whose cause I have attempted to advocate, for having nevertheless left, wholly untouched many important considerations which they have earnestly pressed upon my attention. If honourable Members, however, will consult their own bosoms, they will find them there. We are about to deal with the strongest instinct and the holiest feeling of the human heart. The happiness and tranquillity of the present generation, and the hopes of posterity depend in no slight degree on ourselves. The industrious classes are looking with intense interest to the proceedings of this night, and are demanding protection for themselves and their children. Thousands of maternal bosoms are beating with the deepest anxiety regarding the future fate of their long-oppressed, and degraded offspring. Nay, their children are made aware of the importance of your present decision, and look towards this House for succour. I wish I could bring a little ragged group of these, of both sexes, to that Bar: I am sure their silent appearance would plead louder than anything I have been able to utter in their behalf. I shall not soon forget their affecting presence on one of those recent occasions, when many thousands of the people of the north were assembled in their cause, when in those intervals of the loud and general acclamations, which rent the air, while their great and unrivalled champion, Richard Oastler, (whose name is now lisped by thousands of them, and will be handed down to posterity with undiminished gratitude and affection)—I say, when this friend of the factory-children was pleading their cause, the repeated cheers of a number of shrill voices were heard, which sounded like echoes to our own, and on looking around, we saw several knots of little factory-children, grouped together amidst the croud, who raised their voices in the fervor of hope and exultation, while they heard their humble state commiserated, and, as they believed, about to be redressed.

Sir, I thought then, and I still hope, that their righteous cause will prevail. But I have seen enough to mingle apprehension with my hopes. I perceive the rich and the powerful again leaguing against them, and wielding that wealth which these children, or such as they, have created, against their cause. I have long seen the powerful efforts that are made to keep them in bondage, and have been deeply affected at their continued success; so that I can hardly refrain exclaiming with one of old—"I returned and considered all the oppressions that are done under the sun, and beheld the tears of such as were oppressed; and on the side of the oppressors there was power, but they had no comforter." I trust, however, that this House, whose peculiar duty it is to defend the weak, and redress the injured, will interpose, and extend that protection to these defenceless children, equally demanded by the principles of justice, mercy, and policy. Many have been the struggles made in their behalf, but hitherto they have been defeated; the laws passed in their behalf have been hitherto without any practical effect but to legalise cruelty and suffering. Even, at this moment, while I am thus speaking in behalf of these oppressed children, what numbers of them are still at their toil, confined in heated rooms, bathed in perspiration, stunned with the roar of revolving wheels, poisoned with the noxious effluvia of grease and gas, till at last, weary and exhausted, they turn out almost naked, plunge into the inclement air, and creep shivering to beds from which a relay of their young work-fellows have just arisen;—and such is the fate of many of them at the best, while in numbers of instances, they are diseased, stunted, crippled, depraved, destroyed. Sir, let the dreadful pestilence which no longer walketh in darkness among us, but destroyeth at noon-day once seize upon our manufacturing population, and dreadful will be the consequences. A fast is to be solemnized on the occasion; and it is well; let it be one which the Deity himself has chosen, let us undo the heavy burthens, and let the oppressed go free.

Sir, I have shown the suffering, the crime, the mortality, which attends this system—consequences which, I trust, Parliament will at length arrest. I earnestly wish that I could have prevailed upon this House and his Majesty's Government to adopt the proposed measure, without the delay which will attend a further, and, as I shall ever maintain, an unnecessary inquiry. Would to God we might have come to a resolution as to the hours innocent and helpless children are henceforth to be laboured in these pursuits, so as to render the preservation of their health and life probable, and the due improvement of their minds and morals, possible. Would to God we had decided as we could wish others to decide regarding our own children under like circumstances, or as we shall wish we had done when the Universal Parent shall call us to a strict account for our conduct to one of the least of these little ones. As the case, however, is otherwise—as we are, it seems, still to inquire and delay—I will now move the second reading of the Bill, in doing which I believe I shall not be opposed, and then proceed to propose such a Committee as I hope will assist in carrying into effect the principle of a measure so important to the prosperity and happiness of the country.

Mr. *Hunt* seconded the Motion.

Lord *Althorp* did not rise to oppose the second reading of the Bill, as he was ready to admit that the hon. Member had stated the strongest grounds for the appointment of a Committee of Inquiry; but he did not think that he had applied his facts to the particular Bill before the House. Undoubtedly, if the statements made by the hon. Member were true, some regulation on the subject was necessary; but, without intending to impute to the hon. Member any disposition to misrepresent, he must say, that some of his statements appeared to be absolutely incredible. The hon. Gentleman had described the employment of children in factories as being productive of much ill health. He was not disposed to contradict the statement of the hon. Member; but he would ask him whether it was probable that any sort of manufacturing occupation could be so healthy as agricultural labour. The hon. Member had described the evils resulting from the existing system at very considerable length; but he had not alluded to the inconveniences which presented themselves on the other side of the question. If the House restricted the employment of children in factories, what would be the effect on the labouring classes, and on the children themselves? The necessary effect must be, that wages would be diminished, and, if the hon. Member's Bill were fully carried into operation, there would probably be no children employed in factories at all; and thus the benevolent intentions of the hon. Member would only tend to inflict greater injury, and create more distress among the labouring classes than they at present suffered. He did not agree with the hon. Member in thinking that a Committee was an improper tribunal for the examination of this subject. In his opinion, the matter could be much more satisfactorily investigated there than by summoning witnesses to the Bar of the House. He hoped alterations would be made in the Bill, for it was impossible for him to support it in its present shape. The subject was one of great importance, and he did not wish, whatever might be the decision of the Committee, to pledge himself in any way to further the progress of the Bill.

Mr. *John T. Hope* fully appreciated the active benevolence and general philanthropy of the hon. member for Aldborough, who had undertaken to advocate the cause of the children employed in spinning manufactories: but, whilst he did not yield to the hon. Member in an earnest desire to promote the happiness and comfort of that class of the community, he doubted whether the end the hon. Member had in view could be attained by the means which he advised the House to adopt. He did not propose to enter into any discussion as to the propriety or impropriety of interference with free labour. He believed it was admitted, on both sides of the House, that such interference generally was unwarrantable. He was willing to admit that the labour of children must, in some degree, be considered of a compulsory nature; but he considered that those very circumstances, which give such labour the character of compulsory, carried also with them a remedy for the evil of which the hon. Member complained, in the protection of their parents. He could not comprehend how it was possible, by legislative enactments, to supply the place of parental affections in behalf of the child. If these natural ties were unavailing, legislative enactments would prove equally useless and unavailing. He was, however, prepared to argue the question on more general grounds than these. He doubted, in the first place, whether a case of necessity for parliamentary interference was fairly made out. He admitted that many cases of great individual hardship occurred in manufactories. The hon. Member quoted many such cases; and, aided by his eloquence, they doubtless would produce a great effect upon the House. The hon. Member's general positions were, that children were worked greatly beyond their strength, and that the hours of labour were extended through the night; and that these circumstances combined produced a bad effect upon their morals and education—were injurious to their health, and in many instances occasioned premature death. To these general positions he intended to apply himself; and, therefore, begged to call the attention of the House to some facts contained in the Reports of a Committee of that House which sat in 1816, and of Committees of the Lords which sat in 1818 and 1819. The first point to which he would refer was, the age of the children. The hon. Member was entirely mistaken in supposing that a large portion of the children employed in factories was of a tender age. He found, by a return which was verified on oath, annexed to the Lords' Report of 1819, that, out of a body of work-people amounting to 12,461, employed in cotton factories in England, there were only 196 under nine years of age. From other returns in his possession, it appeared that, of the children employed in the manufactory at Kirkland, in Fifeshire, there were only one in seventeen under twelve years of age, and one in four under fourteen. From these facts he was entitled to say, that the argument, which the hon. Member had founded upon the assumption that a great portion of the children employed in cotton factories was of very tender age, was not entitled to much weight. With respect to the hours of employment, he found, from the returns annexed to the Lords' Report of 1818, that the average number of working hours in the week, taken from fifty-seven instances, was seventy-two; a number little exceeding that established by the Bill introduced by the right hon. Baronet, the Secretary-at-War, last Session. The average number of hours per day on the total amount of hours and persons, deduced from the returns of 325 cotton factory establishments, from a table put in and proved upon oath, and inserted in the appendix to the evidence of 1819, was twelve and a fraction. It was material to look at the number of hours in which children were employed in other trades and manufactures. Children employed in the earthenware and porcelain manufactures worked from twelve to fifteen hours per day; file-cutters, nail-makers, forgers, and colliers, worked for twelve hours per day; those employed in the manufacture of hosiery, and in lace manufactories, worked for twelve, thirteen, fourteen, and fifteen hours per day; those engaged in calico printing worked for twelve, fourteen, fifteen, and sixteen hours per day; needle-makers, manufacturers of arms, and pin-makers, worked for thirteen and fourteen hours per day. He contended, therefore, that the children employed in cotton and other spinning factories were not subjected to greater labour than those employed in other manufactures, to whom no protection was to be afforded by this Bill. As to the effect on the education, morals, and health of the children, he had certificates from several clergymen residing in the neighbourhood of mills in the county of Fife, who certified, that the children and adults employed in those mills were as well conducted, in a moral point of view, as the agricultural population. The reverend Mr. Jones, of the parish of Holywell, who gave evidence before the Lords' Committee in 1819, stated, that such of his parishioners as were employed in the cotton factories were more orderly in their conduct, and better moral characters, than any others. With respect to education, it was in evidence, that all the persons engaged at Cupar in the cotton mills were able to read, and the greater part to write. Out of 891 persons employed in the mills in the parish of Catrene, in Ayrshire, there were very few who were not able to read. At Holywell it was stated that the children employed in cotton factories were better instructed than those engaged in other kinds of labour, on account of the opportunities afforded them of attending Sunday schools. As to the health of the children, it was but natural, as the noble Lord, the Chancellor of the Exchequer, had observed, that persons engaged in manufactures should not enjoy the same degree of health as those employed in agriculture. However, he should endeavour to show that the hon. Member had given too exaggerated an account of the ill health of the former. It appeared, from the evidence given before the Lords' Committee in 1819, that, out of 610 children employed in the Holywell mills, the average number of sick was six; whilst, in a regiment of infantry of 600 men, twenty to twenty-five was not considered a large proportion. In the factory of Mr. Bisley, where there were 549 children employed in the mills, the sick were one in seventy: in Pendleton mills, where there were 531 employed, the average number of sick was eight. It appeared, by the evidence of Mr. Lee, in the Commons' Report of 1816, page 341, that there was in his factory at Manchester a sick fund, supported by one two-hundredth part of the wages of children; and the books of this institution showed that the sick were, on the average, only as one in a hundred. But the evidence from the records of the Infirmary in that town was of a still more convincing nature. It appeared, from the statements produced by Dr. Home before the Lords' Committee, 1818, that, whilst the population engaged in spinning-mills formed one-sixth of the total population of Manchester, the proportion of cotton-spinners relieved was in the following ratio to persons engaged in other occupations: in the home patients, as one in twenty-three, or four; amongst the in-patients, as one in fourteen; in the fever hospital, as one in twelve; and in the out-patients of this last establishment, as one in twenty-three. He would now state some facts connected with parish relief. The hon. member for Aldborough had mentioned, as a proof of the poverty which prevailed generally in Manchester, the large number of females who had been admitted to the Lying-in Hospital; but he did not inform the House of the proportion of spinners' wives to those of persons engaged in other occupations—the only true criterion of their comparative health. It appeared in the evidence of the Lords' Committee in 1818, that, out of 1797 persons who applied for parish relief in Manchester, only twenty-eight were cotton-spinners. The other applicants were 576 weavers, and 221 persons engaged in other trades. From the same evidence it appeared that, out of 582 who received parish relief at Preston, there was not one cotton-spinner. He now came to the question of mortality. The hon. Member threw great discredit on a statement, given in evidence before the Lords' Committee, that, out of 866 spinners, the deaths in ten years did not exceed fifty-seven. From the exact coincidence in the figures with a calculation which he had extracted from that evidence, he was disposed to conclude that the witness to whom he alluded was Mr. Buchanan. Now, he could take upon himself to declare, that this gentleman was a person every way worthy of credit in himself, and that his statements were confirmed by the clergyman of the parish of Lorn, in Ayrshire, in which the factory was situated; and that the letter of this reverend gentleman was printed in the appendix to the Report. By the evidence of Mr. Houldsworth before the Commons' Committee, 1816, it appeared, that, out of 10,000 persons employed in factories, there died in the same space of time thirty-seven, whilst of 3,224 persons employed in other trades there died fifteen persons—being a proportion of thirty-seven to forty-eight in favour of factories. In the parish of Holywell the proportion of deaths in factories was stated to be one in 217—in the whole parish one in fifty-eight, on an average of three years. He would now refer to a more general statement, which bore out these particular facts. By a table compiled from the sworn evidence before the Lords' Committee, it appeared that, if 100 families were selected who were employed, both parents and children, in factories, that, in a given time, there were 527 children born, and thirty-eight died out of each 100 born: whilst in 100 families, of which neither parents nor children were employed in factories, 517 children were born, and forty-three children died out of each 100 born. The proportion in Scotland was nearly the same, giving a result of a greater number of births and a smaller number of deaths in favour of persons employed in factories. He would conclude this part of the subject with some general statements drawn from the population returns. Before he did so, however, it was right to state, that the Returns referred to in drawing up these tables were those of 1811; but this circumstance, as the calculations rested on comparison, would not affect their correctness, as applied to a later date. In the population of the four agricultural counties of Bedford, Bucks, Berks, and Cambridge, the proportion of deaths to 100 births was 64·3; the number of persons in proportion to whom one was buried, 51·1: whereas, in the population of the manufacturing county of Lancaster, the proportion of deaths to 100 births was fifty-nine, and the number of persons in proportion to whom one was buried, fifty-one. Taking again the population of all England, as compared with the parishes of Manchester, Salford, and Wigan, the respective results were—all England, deaths to 100 births, 64·8; numbers in proportion to one buried, 52·3: Manchester, &c., deaths in 100, 56·71; numbers in proportion to whom one was buried 49·5. From which it appeared that, whether they compared the county of Lancaster with agricultural counties, or the spinning districts with those counties, or with all England, there was a less degree of mortality amongst persons engaged in spinning factories. He would now state shortly a Return of the height of the militia, from a Return given in to the Adjutant General's office, with respect to the growth of persons engaged in these factories. He had selected the militia of the agricultural counties before referred to, and compared them with regiments raised in counties where factories were generally established; and he found the average heights to be—of Bedford, 66·5; of Bucks, 66·4; of Cambridge, 66.7; of Berwick, 66·8: Of Lancashire, 69·02; of West York, 67·37; of Cheshire, 67·01; of Lanark, 68·03;—shewing, both in England and Scotland, a result in favour of the spinning population. The fact was not, perhaps, very material; but, as the hon. Member referred to the stunted appearance of persons engaged in the cotton manufacture as a proof of the necessity of subjecting the factories to some regulations, he might appeal to it to show how necessary it was, that the most accurate information should be obtained before they passed the Bill. He would now proceed to call the attention of the House to another part of the question, namely, the inexpediency, in a national and commercial point of view, with regard to the interests of the master manufacturers, and even of the children themselves. In the first place, it was an objection to the hon. Member's Bill that it pressed unequally on different kinds of mills. In steam mills the works could be carried on at any period, but in water-mills the times of working were uncertain and fluctuating—the mills being impeded both by droughts and by floods. By the provisions of this Bill, the proprietors of water-mills would have no opportunity of regaining the time which they might lose by these casualties. If, therefore, this Bill should pass, the consequence would be, that all persons who had embarked their capital in the machinery of water-mills, would be obliged to remove to great towns. This would be attended with unfortunate results; for water-mills were generally established in agricultural districts, and were productive of the greatest benefit by affording employment to a considerable portion of the population. It was obvious, that if they limited the hours of labour, they would, to nearly the same extent, reduce the profits of the capital on which the labour was employed. Under these circumstances, the manufacturers must either raise the price of the manufactured article, or diminish the wages of their workmen. If they increased the price of the article, the foreigner would enter into competition with them. He need not remind the House of the immense capital which was embarked in the cotton manufacture, amounting to about 50,000,000*l.*, or of the great quantity of cotton manufactures exported to foreign countries. He was informed that the foreign cotton manufacturers, and particularly the Americans, trod closely upon the heels of our manufacturers. If the latter were obliged to raise the price of their articles, the foreign markets would in a great measure be closed against them, and the increased price would also decrease the demand in the home market. To avoid these ruinous consequences the manufacturers would, in all cases where it was possible to dispense with their labour, cease to employ children at all, and employ a greater number of adults than before. The hon. member for Aldborough seemed to consider this an advantageous course; but he could not concur with that opinion, because the labour of children was a great resource to their parents and a great benefit to themselves. But he understood, that, in some branches of the cotton manufacture it was impossible to separate the labour of children from that of adults. If, therefore, the manufacturers complied with the provisions of the Bill now before the House, they must in some instances reduce the labour and consequently the wages of adults in the same proportion as those of children. He was of opinion, however, that the manufacturers would endeavour to evade the provisions of the Bill by employing two sets of children to relieve each other alternately, they would of course pay them but half the wages they at present earned, and the masters would accordingly be put to no additional expense. Moreover, it might be calculated upon that the workmen who commonly hired their own piecers, would exchange the children from one mill to another so that they might by such means be constantly employed, and, of course they could derive no benefit from the hon. Member's Bill. A result which was the more to be apprehended, if the doctrine of the hon. Member was correct, that the parental affection of the lower classes was not sufficiently powerful to protect their own offspring. It was, therefore, on these grounds, because, he doubted in the first place, whether Parliament could protect children as effectually as their parents; secondly, that he did not think a case for parliamentary interference had been made out; and thirdly, because he believed, the Bill would be productive of great inconvenience, not only to persons who had embarked large capital in the cotton manufacture, but even to workmen and children themselves, that he should feel it his duty to oppose the measure.

Lord *Morpeth* expressed his pleasure that the Bill had experienced no opposition in the present stage, but was to be referred to a Committee. He accordingly advised the friends of the measure to reserve their strength until it should be necessary to exert themselves in support of it.

Mr. *James* did not doubt the benevolent intentions of the hon. member for Aldborough, but he doubted whether he would attain his object by that Bill. Undoubtedly it was a great evil to employ children in factories, but he was very much afraid that it was only a choice of two evils—either the people must work as at present, or be exposed to starvation. It was impossible that we could contend with countries in which there were no restrictions on the food of the people. If the provisions of this Bill were carried into execution, the only effect it would have, would be to drive English capital to foreign countries. He deprecated these measures of interference between masters and labourers. He considered them to be only efforts to patch up our overgrown system of taxation. It would be better to lessen the taxes, and particularly the tax on corn. They might rest satisfied that if the workmen could obtain a sufficiency of food for their families, they would not allow their children to labour in these factories.

Mr. *Schonswar* felt himself called upon to give his best support to the Bill, for if only a hundredth part of what the hon. Member for Aldborough had stated were true, such a system ought not to be allowed to continue. He knew there was a strong feeling in the minds of many of his constituents in favour of the measure. Indeed every man must feel for the situation of those helpless children, and, he trusted, the efforts of those who advocated their cause would be successful.

Mr. *Mackenzie* said, he did not consider that the hon. member for Aldborough had made out a case to prove that children under nine years of age had been exposed to cruel treatment. The manufacturers wished every inquiry to be made into the case. From 1802 to the present moment, attempts had been made to regulate cotton factories by parliamentary enactments, but they had all failed; and he did not imagine that the present Bill would be more successful than former efforts.

Lord *William Lennox* had great pleasure in supporting the Bill of the hon. member for Aldborough, as he felt it to be the imperative duty of every well-wisher to society to use his utmost influence to put an end to the injurious practices now so justly and so loudly complained of, not only with a view of promoting the great cause of humanity, but also of removing from the country the stigma that must be necessarily attached to it by an encouragement of such a nefarious system—a system that was a disgrace to a civilized community—a system which, instead of laying the basis for health, strength, cheerfulness, industry, longevity, independence of parochial aid, was calculated to bring human beings to a premature grave, or to doom them to a protracted life of disease, mental and bodily; bringing pauperism and misery upon themselves, and making them a burthen to society. He wanted no evidence to tell him that the system now carried on was as pernicious to the health of the children as it was destructive to their morals. In order to bring to full maturity the faculties of the body and mind, time must be afforded for meals, exercise, inhaling pure air, recreation, rest, and sleep; and how could that be accomplished when, in many manufactories children laboured seventy-nine hours per week, had an hour for their meals, and perhaps only six or seven for rest. In 1825, it was stated in this House, that, in the evidence furnished before a Committee in 1816, a medical gentleman, was asked, whether, he thought, a child could keep standing on her legs without prejudice to her health, twenty-three hours successively? He answered: the question was one of very great doubt. Another said, the inhaling of cotton fumes was not injurious to the health, as the effect was taken away by constant expectoration. When asked whether expectoration was not injurious? that, replied the medical gentleman, depends upon a variety of facts. He, in conclusion, did not wish to think the master manufacturers were devoid of all feeling—he could not bring himself to believe, that the claim of humanity was not superior to any mercenary consideration; he, therefore, thought they would hail this Bill with pleasure—a Bill that went to extirpate English slavery. He would call it by no other name, for, could the annals of West-India slavery produce a case of more persecuted suffering, more pathetically affecting, than the one of the little girl lately published in the newspapers. The child, remembering the severe punishment that would be inflicted, if she slept too long, was afraid to trust her eyes to repose; deprived of needful rest, she dragged on a miserable existence, badly fed, badly clad, she sank into an early grave, a victim of cruel slavery. Let the House, then, show by their votes, that, whilst they all wish to ameliorate the state of the foreign slave, they are not wholly unmindful of the condition of their own.

Mr. *Wilbraham* said, that, without professing any overstrained or exaggerated humanity, he felt bound to vote for the Motion. He thought that, at the present time, when manufacturers were driven by the state of the laws to resort to every mode of cheapening their productions, in order to compete with foreigners, this was the very moment for throwing the shield of British law around the children employed in factories, and who were hereafter to be the defenders of those laws and of the empire. But, although he looked upon the principle of the Bill as already granted, yet he thought its details required very close and cautious examination, which he hoped it would receive in Committee. He should gladly support any measure which would give the weak a due protection against the strong.

Mr. *Lennard* said, he trusted that the appointment of the proposed Committee would not create such delay as to prevent the passing of the Bill during the present Session. The public felt a deep interest on the subject, and justly so; and he considered that what was stated in the preamble, and what, therefore, must have been proved up stairs, was sufficient to induce the House to give the Bill a cordial support. The statement that, in many cases, children were employed during the whole night in these manufactories, was quite enough to make it imperative on the House to interfere on their behalf. He could not think that any one could fairly complain that the Bill went too far, when it allowed children to be worked as many hours as a felon condemned to hard labour was allowed to be worked in our gaols. But, it was not only on the ground of humanity that he supported the Bill of the hon. Gentleman opposite. He thought that the children of all classes, and more especially in our crowded towns, should have some leisure for mental improvement. This could not be, where they were liable to be worked fourteen, or sixteen, or eighteen hours out of the twenty-four. It had been said, that former Acts on this subject had been evaded. He hoped this would be guarded against by his hon. friend; and, if this object could not be otherwise secured, he hoped that the Bill, when it should come again before the House, would enact that the mills should cease to work after a certain hour. This would be a sure means of accomplishing the object which he had in view.

Mr. *Heywood* said, he should support the second reading of the Bill, because he cordially approved of its object; but he must say, it appeared to him that its provisions were directly at variance with its object. He feared that, as the Bill at present stood, it must either be inoperative, as former Bills of the same kind had been, or that, if its provisions were carried into execution, they must produce great distress to the trade, and great consequent suffering amongst the operatives. Every means would be taken to evade the enactment, therefore it would be most necessary to have the whole subject thoroughly examined before a Committee. He knew that an association had been formed in Lancashire to enforce the former Acts on this subject, but the members saw the transgression of the law without the power to carry the purposes of the association into effect. The present Bill afforded no better security, as it stood, for its observance, than the Acts of former years, and it would offer an immense temptation, both to masters and workmen, to take advantage of its defects, by its diminution of the profits of the former, and of the wages of the latter. He made these observations to show the propriety of extreme caution in this enactment, for it was incumbent on the House to take care, while it cured one evil, not to create a greater. If its provisions were strictly enforced, the effect of them would be, to cause a great reduction of wages, and miserable privation would ensue among the workmen. Food was as necessary as air and exercise, and they should take care that, while they gave the operatives the latter, they did not deprive them of the former.

Mr. *P. Howard* conceived the hon. Mover had made out a strong case for the restriction of the hours of labour of children under twelve or fourteen years of age; but, at the same time, with every respect for his motives, he must say, that his zeal, as a philanthropist, had exceeded his discretion as a legislator, and those two offices, with an enlightened regard to the interests of the community, could never be severed. With reference to what had fallen from his hon. colleague (Mr. James), he must observe, that a reduction in the price of corn would inevitably be accompanied by a decrease of wages; and though he thought savings might be effected, yet, with a due regard to the public creditor, upon which the security of the poor man's savings and the rich man's capital alike depended, no material reduction in the public expenditure could take place, and he trusted the people would not build too much on that hope of relief. In an altered form, he (Mr. Howard) felt the Bill which had that night been introduced might serve the country.

Mr. *Strickland* said, as information had been received that the mills at Manchester were working from twelve to sixteen hours a day, the House could not proceed too rapidly to put a stop to that practice. He hoped, however, that the penalties, which, he understood, were provided for working beyond a certain period, would not be made too severe, as he feared that would diminish the efficacy of the Bill, and tend to make it inoperative.

Mr. *Hunt* said, that the question was not one of pounds, shillings, and pence, but whether the English people were to be worked beyond their powers of endurance. If any Gentleman would walk into any of the cotton factories, and see the state of the workshops, no evidence of medical men, and no sophistry, would ever convince him that such labour was not destructive of the happiness and comfort of the miserable beings employed in it. It would be a libel upon cannibals, or the worst savages of the human race, to suppose that they would voluntarily suffer their children to be so treated. It would be a libel even upon the beasts of the forest to say that they would consent to treat their young as the children of the poor of this country were treated. It was the necessities of the poor which compelled them to submit to such degradation. An hon. Member had expressed a hope, that the penalties to be inflicted by the Bill would not be heavy. Now, he hoped that they would be as severe as possible, and that one-half would be given to the informer.

Mr. *Kearsley* thought, that he was acting as one of the best friends of the labouring classes in opposing this measure, which he considered would be productive of great injury to them. He lived in a manufacturing district, and he knew that what he stated was also the opinion of workmen themselves. He had not the least doubt that the statements of the hon. Member for Aldborough were very much exaggerated.

Lord *Nugent* said, that hon. Members had unnecessarily been discussing the principle of the Bill which was sanctioned by the House.

Mr. *Blamire* observed, that the population in agricultural districts was more immoral than that employed in manufactures, at least so far as the number of illegitimate children was a criterion.

Bill read a second time, and a Committee appointed, to whom it was referred.

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HOUSE OF LORDS,
Monday, March 19, 1832.

MINUTES.] Returns ordered. On the Motion of the Marquis of LANSDOWN, of the Number of Persons charged with Criminal Offences, committed for Trial during the last twenty-one years in England and Wales, distinguishing the Number in each year; a similar statement of the Numbers committed in each County in each of the three last seven years, with the Number of Acquittals, Convictions, and Sentences, the Number convicted of Crimes for which they received Sentence of Death, and the Number thereof who were Executed.

Petitions presented. By Lord BEXLEY, from the Inhabitants of Whitchurch, for the Abolition of Negro Slavery:—By the Marquis of SLIGO, from the Inhabitants of Aughanal, Westport, Aughagour, Louisburgh, and Isleanady, for a Reform of Parliament, and an Increase of Members to the County of Mayo, and from the Landholders of Ballinarobe, for the Abolition of Tithes in Ireland:—By Lord KING, from the Inhabitants of Ardraham and Albert, Moncoin, Canagen, Kiltormer, Clanmere, Port, Rathdrummin, Drumcar, Dunleer, Cappaugh and Desart, for the Abolition of Tithes and Church-rates, and for the Repeal of the Subletting and Vestry Acts:—By the Earl of WICKLOW, from 2,488 Inhabitants of Dublin, from the Corporation of Dublin; and by the Earl of RODEN, from the Guild of Tanners, Bakers, Cooks, Shoemakers, Weavers, Barbers, Butchers, Chandlers, Soapboilers, and Carpenters of the same place, against the Dublin Coal Trade Bill:—By the Duke of SUSSEX, from the Medical Schools and Societies of Liverpool and Worcestershire, for the adoption of a Measure to Facilitate the Study of Anatomy:—By the Bishop of EXETER, from the Inhabitants of Exeter. By Viscount LORTON, from the Vicar and Protestant Inhabitants of Ballisoden, and the Union of Granard. By the Earl of RODEN, from the Clergymen of the Established Church in the Deaneries of Southreps and Walham, in the diocese of Norwich; from the Inhabitants of Lyme and Charmouth, Dromore; and by the Marquis of LONDONDERRY, from the Inhabitants of Bangor, in the County of Down, against the proposed plan of Education for Ireland.

REPRESENTATIVE PEERS (SCOTLAND.)] The Earl of *Rosebery*, in moving, pursuant to notice, for a Select Committee to inquire into the laws and regulations now subsisting for the election of the Representative Peers for Scotland, stated, that he should occupy the time of the House for only a few minutes, not only because the subject, although of great interest to the Peerage of that division of the kingdom, and of very considerable public importance, was not of an attractive nature to a majority of their Lordships, but because he thought that any lengthened remarks or arguments would come better after the Committee had made a Report, than previous to their appointment. He requested, however, to recall to the recollection of the House that ten years ago he had moved certain Resolutions, for the purpose of placing on a more regular footing the right of voting at the election of Peers for Scotland, which had received the unanimous concurrence of their Lordships. These Resolutions, as far as they went, had been found to produce advantageous effects; but they did not, on the one hand, embrace all the cases liable to an abusive exercise of the privilege of voting as a Scottish Peer, more particularly with reference to the many dormant Peerages belonging to Scotland, the assumption of which, by individuals, without competent authority, there was no means of preventing; but which it was highly desirable, by some proper method, should not be permitted, until the claim of the individual had been established, prior to his voting at any election of a Representative Peer. On the other hand, it had been thought that to oblige persons succeeding collaterately, as was ordered by the Resolutions of 1822, to be at the expense and trouble of coming to the Bar of the House to prove their right to their titles, was, in some cases, at least, a considerable hardship, which might be obviated by an arrangement less onerous to individuals, without trenching on the principle or object of those Resolutions, which it was his wish, and he believed it would be the desire of the House, to extend, and by no means to counteract, or diminish. It had occurred to him, and others, more fit than himself to form a correct opinion on this point, coincided with him in thinking, that the most judicious course to pursue by which the double object to be attained of securing, by a more comprehensive and perfect system of regulation, the rights of the Peerage of Scotland, with a less burthensome mode of doing this than by calling on individuals to prove their pedigree in the first instance at the Bar of the House, would be by a Select Committee inquiring into this matter, and recommending a series of provisions for this purpose to their Lordships. Other points of a subordinate description relating to their elections required consideration, among which the petition of the Earl of Mar, complaining that his List was rejected at the general election in June last, although he held it was an instrument valid by the law of Scotland, was one. He proposed that this, with the petition of the Marchioness of Downshire, complaining of the assumption of the Earldom of Stirling by Mr. Humphreys Alexander, and his voting in that character, should be referred to the Committee which he was about to move for. If that Committee were granted, its Report would have the advantage of being re-considered in the Committee of Privileges, and the decision of the latter would be subject to the revision of the House. The noble Earl concluded by moving that a Select Committee be appointed to take into consideration the laws and regulations now in force relating to Representative Peers for Scotland, and that it Report its opinion thereupon to the House.

Committee appointed accordingly.

The following paper referred to it. The petition of the Earl of Mar, complaining that his List was rejected at the general election in June, 1831; and, also, the petition of the Marchioness Dowager of Downshire, Baroness Sandys, complaining that Mr. Humphreys Alexander has assumed the Earldom of Stirling without right or authority; and, also, copy of the Union Roll of Peers of Scotland, and a list of Peers voting at elections since 1800.

HOUSE OF COMMONS,

Monday, March 19, 1832.

MINUTES.] New Member sworn. WILLIAM ROBERT CLAYTON, Esq., for Great Marlow. Committee on the Dorsetshire Election reported that Lord ASHLEY was duly Elected.

Bill brought in. To Regulate Turnpike Tolls on Steam Carriages.

Returns ordered. On the Motion of Mr. HEATHCOTE, of the Number of Convictions under the Game Laws, from the 1st of November, 1830, to 1st February, 1832, distinguishing each year:—By Mr. BOLDERO, of all the Communications received by Government from the Medical Board relating to the Cholera at Sunderland; of the Number of Deaths at that place from March 1831, to March 1832; and of the greatest Number of Deaths that had taken place in any one year in the same place during the last ten years:—By Sir EDWARD SUGDEN, of the Number of Bankruptcy Cases heard before the Court of Review, with the Fees received, and the Duties performed by the various Officers of the Court; of the Number of Attendances of the Judges, the Fees for the Admission of Solicitors, and of the Names of the Persons appointed Official Assignees in the New Bankruptcy Court, and of the Number of Bankrupts Petitions presented during the year 1831, and of the Number of Causes, distinguishing Bankruptcy Petitions, heard by the Vice Chancellor during the year 1831, and the Number ready for hearing on the 19th March, 1832.

Petitions presented. By Colonel EVANS, from the Inhabitants of Idle employed in the Mills in and near that place and by Mr. STRICKLAND, from the Inhabitants of Morley, in favour of the Factories Regulation Bill, and by Mr. GISBORNE, from the Spinners and Manufacturers of Hayfield and New Mills, against it:—By Mr. JAMES E. GORDON, from the Protestants of Rathkeale, Pentlow, and Watford, against the proposed System of Education for Ireland:—By Mr. WALLACE, from the Roman Catholics of the Guild of Brogue Makers, Galway, for equalizing Civil Rights in that place; and for the Repeal or Modification of the Stamp duty on the Admission of Freemen to Corporations:—By Captain BERKELEY, from the Agriculturists of the Hundred of Bosham, Sussex, in Favour of the Remedies against the Hundred Bill:—By Mr. WYSE, from the Roman Catholic Inhabitants of Drogheda, Landholders of Ballycolough, and Fartianna, for the Abolition of Tithes; from the Subscribers to the Glandore Dispensary, for a Law to oblige Grand Juries to present a Sum for the support of Dispensaries equal to the Amount of Local subscriptions; and from the Medical Practitioners of Tipperary, complaining of the Laws for Regulating the Admission of Physicians and Surgeons to the County Infirmaries (Ireland):—By Mr. WYNNE, from the Corporation of Llanfylleir to be restored to its ancient right of Voting for the Montgomeryshire district of Boroughs:—By Sir RICHARD VYVYAN, from the Freemen and Freeholders of Okehampton, to retain their Franchise; and from Cheshire, against the Reform Bill.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] Mr. *Anthony Lefroy* said, he had four important petitions to present, they proceeded from the Archbishop of Tuam and the clergy of the diocese of Ardagh; the Archbishop, and clergy of the diocese of Tuam; the Bishop and Protestant clergy of the diocese of Elphin; and from the clergymen and Protestant inhabitants of Drumlish, in the county of Longford. He had hitherto abstained from occupying the time of the House when the new system of Irish education had been discussed, not from any luke warmness on the subject, or that he admitted that a sound moral education could be given on any other foundation than the unmutilated Word of God, but, because on these occasions he found there were many anxious to address the House who could do so with more effect than himself. However, when he considered the rank, learning, and situation of the individuals who had intrusted the present petitions to his care, he felt it his peculiar duty to call the attention of the House to them, as affording a most satisfactory contradiction to the statement that the clergy and Protestants of Ireland were not opposed to the proposed plan of national education. He was also anxious to take the first opportunity of making a few observations which, in compliance with the wish of the noble Lord, the Chancellor of the Exchequer, he had postponed from the night his learned friend, the Member for Dublin, presented the most important petition that had yet come from Ireland on this subject. On that occasion a noble Lord, the member for Liverpool, in supporting these petitions, observed that his chief objection to the Kildare-street Society was, that it had compromised too much. He (Mr. Lefroy) was disposed to agree, at present, in the views of the noble Lord, as by the new system of his Majesty's Government, the Roman Catholics were so much enslaved and brought under the power of their priests, that they could not judge for themselves. Under such altered circumstances he was of opinion that a consistent Protestant was bound to support whatever plan was most effectual for direct proselytism, and rescuing his countrymen from the bondage and blindness in which they were held by their priesthood, who esteemed no sin more mortal than to inquire into the principles which they inculcated. At the same time, as one who had always supported the Kildare-street Society, so long as it received a grant from Government, on the conditions that all educated there should have access to the entire Word of God, and thus possess the means of judging for themselves on topics involving their hopes for time and eternity, and as on these grounds he should continue to do so, he felt it due to is own consistency, as well as to that Society, to explain the erroneous views of the noble Lord respecting the means of usefulness which that Society possessed, and which were probably produced by the statement of the Solicitor General for Ireland on a former night. That learned Gentleman stated, that the rules of the Society were such as to entitle it to this description—"that it kept the word of promise to the ear, but broke it to the hope;" and he proceeded to prove the truth of this by stating, that the rules did not permit such explanation even as was necessary for understanding the plain meaning of the passages of Scripture, nor were the children permitted to commit portions of the Scriptures to memory. He would now beg permission of the House to read the fundamental rules of the Society on these points, which, they had ever held, and faithfully acted on:—

> "That, by the Sacred Scriptures the Committee mean such books, and such only, as both Protestants and Roman Catholics unite in believing to have been dictated by the Holy Spirit; and whilst the Committee uphold the fundamental principle, that these Scriptures shall be read in their schools, without note or comment, by all the scholars who may have attained a suitable proficiency in reading, they do not mean thereby to prevent, but, on the contrary, recommend that such explanations shall be given to the children during school-hours as may convey to their minds the plain meaning of the passages of Scripture read by them, and introduce them to an extensive acquaintance with the Bible; so far as those objects can be attained by explanations not inculcating any peculiar religious opinions, or introducing points of controversy. That it is perfectly consistent with the principles of the Society that the children should be examined in the schools as to their acquaintance with the passages of Scripture previously read by them; provided such examination be carried on so as to avoid inculcating thereby peculiar religious opinions, or introducing points of controversy; and such examinations have been held in several schools in connexion with the Society. That, if the managers of schools shall think it useful that the children shall commit to memory portions of the Scriptures, such a practice may be adopted in perfect accordance with the principles of the Society; and has frequently been pursued in their Schools with the approbation of the Committee."

He hoped that the House were now convinced how mistaken the learned Gentleman had been in his exposition of the rules and practice of the Kildare-street Society. He would next advert to the question put by his hon. friend, the member for the University of Oxford, to the Solicitor General for Ireland. His hon. friend asked the learned Gentleman, if a child or master brought the Bible into a school supported on the new plan during school-hours, would not that child or teacher be considered guilty of a fault, and to have transgressed the rules? He regretted that the Solicitor General was not on that occasion very explicit, because he should have supposed, that when so fair and important a question emanated from a quarter where neither national nor party prejudices could have had influence, his Majesty's Government would, if possible, have gladly availed themselves of the opportunity to rescue their plan from misconception, and from those misrepresentations of which they had so much complained. The Solicitor General having declined giving any reply to that question, it was left to mere inference whether the introduction of the Bible was or was not a fault. If the Solicitor General would admit it to be a fault, let the Protestants of Ireland be informed, and let the British nation hear that public money was to be raised for supporting a national institution, where the introduction of the Bible (that book which our gracious Sovereign George 3rd wished to see in every cottage in his dominions—that book which was the birthright of every British-born subject,) amounted to a "crime." If the Solicitor General denied that it was a fault, he must say, that the learned Gentleman and the Chief Secretary for Ireland were at variance in their views on the subject, because that right hon. Gentleman, in his letter to the Duke of Leinster, alluding to the Kildare-street Society, said:—

> "Shortly after its institution, although the Society prospered and extended its operations, under the fostering care of the Legislature, this vital defect began to be noticed—(mark what was this vital defect as explained before!)—the indiscriminate reading of the Holy Scriptures without note or comment."

It was vain any longer to assert, that the people of Ireland would accept this system of education from his Majesty's Government. The opinion of thousands and thousands of Protestants had been expressed against it, the opinions of the clergy, the Bishops, and at their head the most enlightened, respected, and venerable Primate, were recorded, declaring that they would not suffer the functions of the Established Church to be superseded, and national education to be made subservient to a Popish priesthood. The resolutions of the Synod of Ulster were also against it, supported by a noble Lord, who professed himself to be a friend and well-wisher of the Government on every other matter, but he declared that he was not a friend of this system; nay, further, that it carried with it the seed of its own annihilation. Such an opinion was of no small consequence, if the constituency represented by that noble Lord was considered. There could be no doubt that when the noble Lord differed from his Majesty's Government in this alone "their favourite scheme," he must be convinced that his doing so would meet with the approbation, not merely of the petitioners, but also of the great body of Protestants whom he represented. His hon. and learned friend, on presenting his petitions on Friday night, stated, that none of the clergy of the Established Church had expressed their approbation of the new system, except Dr. Sadler. He desired not to allude more to that reverend gentleman than to assure the House that his approval of it would not recommend it much to the Protestants of Ireland; they well knew that the reverend gentleman, from motives of expediency, had, on a former occasion, deserted an important post he then held under the Bible Society, and within a short period this gentleman was the medium of communication between the new Board and the Mendicity Society, when several leading members of that institution, who were against the mutilation of the Scriptures, opposed the bringing up of the report, as it alluded to receiving a grant from the new Board. It was then intimated to that institution, through the reverend gentleman, that the Board would not insist upon a strict adherence to its rules as to the use of Scripture extracts. Then the Mendicity Institution said, "We will take your money, but not your plan of education." To such a man as a member of the new Board, let it not be supposed that the Protestants would yield the inquisitorial power of judging for them, as set forth in another part of the right hon. Secretary's letter, where it stated:—

"The Board will exercise the most entire control over all books to be used in the schools, whether in the combined, moral, and literary, or separate religious instruction. None to be employed in the first, except under the sanction of the Board, nor in the latter, but with the approbation of those members of the Board who are of the same religious persuasion with those for whose use they are intended."

He would only add further, that it appeared that the present Commission had not succeeded better than any former one in giving universal satisfaction; and if his Majesty's Government had not courage to support an institution, which, without paralyzing or interfering with peculiar religious opinions left to all the free exercise of their conscience and judgment; he conjured them to withdraw altogether grants from Ireland, and not suffer British money to be polluted by attempting to prop up with it so anti-Protestant and so anti-Christian a system as the one proposed.

Colonel *Rochfort* said, he had been requested to support the prayer of the petitioners, and he did so with great pleasure.

Petitions to be printed.

BOUNDARIES OF STAMFORD—SCOT-AND-LOT FRANCHISE.] Mr. *Tennyson* presented a petition from the electors of Stamford, which, he said, was most respectably signed by a majority of his constituents. The petitioners stated, that, although they were grateful for the comprehensive measure of Reform introduced by his Majesty's Ministers, they deprecated the application of a 10*l.* franchise to scot-and-lot boroughs, as it would gradually lessen the constituency, and render such boroughs more close than they were at present. The petitioners further stated, that Stamford and Newark had rescued themselves from dictation under the scot-and-lot franchise, and they deemed it unjust to substitute a franchise which, would lessen their future means of vindicating their independence; that, in their struggle to establish it, the inhabitants had been exposed to persecution, and in particular that several tenants of a noble Marquis, who had property within the borough, had been turned out of their houses because they would not vote for both his nominees, and had also been grievously oppressed in their trades and occupations, and otherwise assaulted and injured, because they voted conscientiously, and that they could obtain no satisfactory redress—the local magistracy—the corporation of Stamford—(whose general misconduct he meant to bring under the consideration of the House)—being violent partizans of the Marquis of Exeter, their Recorder. The petitioners then stated, that they had heard with surprise and sorrow, that the parish of St. Martin, in Northamptonshire, was to be added to Stamford in Lincolnshire, as nineteen-twentieths of that parish belonged to the noble Marquis he had just alluded to, and if the same persecutions were to be exercised, the newly-achieved independence of the borough would be crushed by the operations of the Bills professing to amend the Representation, and to assure the free exercise of the elective franchise. They added, that such addition was unnecessary for the purpose of forming a sufficient constituency, as there were about 500 houses worth 10*l.* per annum in Stamford, and they concluded by praying that if the scot-and-lot franchise was to be annihilated, St. Martin's parish might not on that, or any other account, be added to the borough; and that if, in the opinion of the House, that addition should appear proper, then they prayed that, the borough might be wholly disfranchised, and the right of returning Members transferred to some of those important towns omitted in the Reform Bill, where the voters might not be exposed to similar persecution for the free exercise of the elective franchise. He must do his constituents the justice to say, that in the most disinterested, magnanimous, and patriotic manner, they had resolved to sacrifice their individual rights, and those of the class to which a great proportion of them belonged, by returning him as their Representative—under the impression that he should vote for the Reform Bill as it stood, with respect to the annihilation of their rights; but they concluded that, at least, this measure would secure the independency of the new constituency, and conduce to the general welfare of the nation, and, therefore, they nobly and cheerfully sacrificed themselves, little imagining that, by the addition of the parish of St. Martin, the independence of their borough would be entirely overwhelmed, as undoubtedly it would be if that addition were made; but as it would be his duty to bring this question substantively before the House in the Committee upon the Boundary Bill, he would not say more on the subject at present; but merely give notice, that he should then take the sense of the House upon it, even though he had no other supporter than the hon. member for Preston. With regard to the scot-and-lot franchise, he had uniformly expressed his opinion in favour of it, as his Majesty's Ministers and others well knew. He was content, however, to forego his own opinion, and submit to the judgment of Government, supposing that they must have good reasons for not adopting a scot-and-lot franchise generally; and, although he felt especially anxious that the scot-and-lot cities and boroughs, of which there were only about thirty, should retain that franchise, he still consented to stifle his own views, in deference to those of the Government, and to what seemed to be the general opinion, until the appearance of the Boundary Bill—the supposed necessity for which, in the scot-and-lot boroughs, was assumed by his constituents and himself to arise chiefly from the abolition of the scot-and-lot franchise. If that franchise were maintained, the additions to scot-and-lot boroughs proposed by that Bill would, for the most part, be needless; and, in case of his own constituents, he should be prepared to contend, at the proper time, that its operation would be particularly mischievous. With regard to boroughs generally, the new franchise would give a great advantage to the owners of land lying within them; and where additions were made of parishes, the landowners might obtain a preponderating influence. It appeared to him that the landed interest would have altogether a considerable preponderance by the arrangement proposed by the Reform Bill and the Boundary Bill, and that the Gentlemen connected with that interest would have no occasion to feel alarm from democratic influence. The division of counties—the voting of tenants at will—and the additions, proposed by the Boundary Bill, of districts to the smaller boroughs—would much more than protect the landed interests. It was rather the people, as such, who would require representation; and if, late as it was, the scot-and-lot boroughs could be preserved, they would rescue fifty or sixty Representatives for the use of the people, while they would retain in the Constitution a wholesome, ancient, and approved franchise. It might be too late to adopt generally a scot-and-lot franchise; but he must appeal to Government, and he begged to submit to them the propriety of taking the prayer of this petition into consideration, and, in accordance with which to add a clause of three lines, after the third reading, for the purpose of reserving from the operation of the

Reform Bill, and, by consequence, from any necessary operation of the other Bill, those places where the right of voting was vested in householders, or inhabitants paying scot-and-lot.

Sir *Edward Sugden* had never heard a more extraordinary speech than that just delivered. He (Sir E. Sugden) had a right to consider his right hon. friend (Mr. Tennyson) as a Member of his Majesty's Government, for it was said, that his right hon. friend had retired from office only on account of ill health. And yet what did his right hon. friend say? Why, judging from the right hon. Gentleman's speech, he was as much opposed to the Bill as he himself was. He wondered how his right hon. friend could so long have kept his opinions to himself, and if he did not repose the most implicit confidence in his sincerity and straightforwardness, he should almost suppose that his speech was meant as a sort of cunning prelude, preparatory to the drawing up of a curtain for the completion of the last act of the Reform Bill. Such, under other circumstances, would have been his impression; for his right hon. friend, as a Reformer, complained that the Bill would give too much power to the landed interest, while the landed interest itself complained that the contrary was the fact. His right hon. friend was a sweeping Reformer where his own interests were not concerned, but the moment his own interests were touched he became loud in his complaints. His right hon. friend required a particular interest to be supported for his own benefit, and, with that view, although at the twelfth hour, he proposed to amend the Bill. Facetiously enough his right hon. friend said, his amendment, as a recommendation to it, would only occupy three lines. Why, he would be content if he were allowed to insert two lines, or even one line, in the Bill. Let him but insert one line, and he would undertake to say, that Ministers should remember his amendment to the last hour of their existence.

Mr. *Hunt* had also been greatly astonished at the speech of the right hon. Member (Mr. Tennyson). He asked the hon. Member, and he had a right to do so, why he had not brought forward the subject before, or supported him when he (Mr. Hunt) had shown that the electors in Newark would be reduced from 1,400 to 300 by the operation of the Bill. It was most remarkable that the right hon. Member had said nothing until the eleventh hour. Then, again, there was the place he had the honour to represent, which had now 7,000 voters, but under this Bill, after a few years, it would only have 700, and be a borough under the command of an aristocratical Whig Peer—he alluded to Lord Derby, The hon. Member ought to have told his constituents that they were too late, for that the matter was settled long ago, and the hon. Member himself had connived at such settlement. by not supporting him when he had brought the question forward.

Mr. *Paget* thought the petition of the electors of Stamford was entitled to great consideration, for they had hitherto exercised their franchise most righteously. The hon. member for Preston said, the petition was too late, and he feared it was, so far as the scot-and-lot franchise was concerned, but it was not too late for the Boundary Bill, and he should hold himself ready to support the hon. member for Stamford against the parish of St. Martin's being added to that borough.

Mr. *Wilks* said, the present Bill allowed freemen to retain their privileges, and he saw no reason why scot-and-lot voters should not have the same advantages extended to them in the boroughs where that custom of voting had hitherto prevailed. At all events there ought to be some alteration with regard to Stamford; either the Boundary Bill should be altered, or some other regulation made, to prevent that place from again falling under the influence of its former patron, as it certainly would do by the measures now before the House.

Sir *Robert Peel* had not heard the observations of the right hon. Gentleman on introducing this petition to the notice of the House; but if he understood the object of its prayer aright, and if that object had been made the subject of an amendment in the Committee, he should certainly have felt disposed to give it his support for three reasons. First, on the ground that it was desirable to break the uniformity of the 10*l.* right of voting; secondly, because the inhabitants of most of the scot-and-lot boroughs were quite as respectable as the 10*l.* voters of the other boroughs; and, thirdly, because, in those scot-and-lot places, the distribution of the property had, by the course of time, been accommodated to that species of franchise, whereas, by the alteration, they would be holding out a premium to the landlords of the houses to withdraw the tenure from the scot-and-lot voter, and substitute in his place, as far as possible, the 10*l.* voter.

Sir *Charles Wetherell* said, that if the right hon. Gentleman would move to recommit the Bill, it was not too late to reconsider this point. He had heard that there were some Whig Reformers, and also some Radical Reformers, who, with a sort of shabby-genteel Reform, endeavoured to accommodate the Bill to their own purposes; and, what was more, he believed it. This was a dirty, contemptible hypocrisy, by which individuals endeavoured to promote the interests of particular places. But, as a general proposition, he saw no ground for disfranchising the scot-and-lot boroughs.

Petition read.

Mr. *Tennyson,* in moving that it be be printed, said, that his hon. and learned friend (Sir E. Sugden) was mistaken in supposing that any political ground had separated him from his Majesty's Government. He felt it due to the Government, and still more so to himself, to state, that, neither when he quitted office, nor now, was there any political difference whatever between his Majesty's Government and him. He had no doubt that the Ministers would do him the justice to acknowledge that during the whole course of his connection with them, he had represented his humble wishes that the scot-and-lot franchise should be observed as a general principle, or at least that the scot-and-lot boroughs should be retained as they had hitherto existed. He was of opinion that it would have been much better had the Ministers adopted the scot-and-lot qualifications in many instances where it was now in force. He begged to state, that he had the fullest confidence in the wisdom and integrity of his Majesty's Government, and was willing to let the case rest with them. Still he could not help expressing his own decided opinion in favour of the preservation of the scot-and-lot franchise, subject to some conditions. He had been asked why, if he entertained such opinions, he was so late in expressing them, and in bringing forward any such petition as that which he then presented. To this he must reply, in the language of his hon. friend the member for Buckinghamshire, on the Reform Bill, that the Boundary Bill literally took away his breath, and that he required some time to recover; or, in other terms, he had deemed it necessary to examine that measure. He should, certainly, reserve his right of opposing the Boundary Bill. With respect to the borough of Stamford, he was actuated by no personal feeling, but solely by the wish to secure to the people a privilege which was their property and inheritance.

Lord *Milton* said, he felt himself bound to support the petition, though not on the grounds set forth by the petitioners. He considered it highly objectionable to entrench on the rights of a county, for the purpose of making up a sufficient constituency for a borough situate in a different county, which was the course proposed to be taken with respect to Stamford—part of its projected addition being in the county of Northampton. In assertion, therefore, of the rights of the freeholders of the county of Northampton, he must offer his decided objection to the freeholders of this county being deprived of any portion of their votes, for the purpose of adding to the constituency of Lincolnshire.

Sir *Edward Sugden* said, as the electors of Stamford had proposed that their franchise should be taken from them, unless they could have their borough left in such a state as suited themselves, he took the liberty of suggesting to the Ministers the propriety of conceding to their wishes with regard to disfranchisement, and to transfer their Member to the county of Monmouth, which had been deprived of its unicorn Member for the purpose of bestowing him upon Merthyr Tydvil.

Petition to be printed.

Lord *Granville Somerset* said, as the hon. and learned Member had alluded to Monmouthshire, he begged to ask the noble Lord, if the Government still persisted in their unjust proceedings with respect to that county. They had originally contemplated the addition of one Member to that county, and having thus excited hopes which they afterwards had frustrated, by taking away that additional Member, he could not but feel that Monmouthshire had been unjustly treated, and he wished to know whether the noble Lord intended to persist in refusing to grant an additional Member?

Lord *John Russell,* in reply, stated, that it was not the intention of Government to propose any further changes in the Reform Bill as it now stood.

DISMISSAL OF CAPTAIN SARTORIUS.] Colonel *Davies,* seeing the right hon. Baronet, the First Lord of the Admiralty, in his place, begged to ask him whether the report that Captain Sartorius had been dismissed from the Navy was true; and, if so, whether he had received any previous intimation of the intentions of the Admiralty, or had been desired to quit the service of Don Pedro before that dismissal took place; also, if such intimation had been given him, whether his dismissal took place in consequence of any demur on his part to comply with it? He also desired to know whether Captain Sartorius would be restored to his rank on quitting the service of Don Pedro?

Sir *James Graham,* in reply, begged to inform the House that it was perfectly true that Captain Sartorius had been dismissed from his commission of Post-captain in the Navy, but that the hon. and gallant Member opposite was mistaken in supposing that dismissal to have arisen from any such circumstances connected with the Portuguese expedition as had been alleged by him. Captain Sartorius had applied for leave of absence, but, some suspicion being excited, he was asked for an explanation. This explanation was not received, and, finding him shortly after absent without leave, he had been suspended from his rank; and, until all the circumstances attendant on this breach of discipline were explained to the satisfaction of the Board of Admiralty, he was removed from his Majesty's service.

Colonel *Davies* would only state further, that the explanation given by the right hon. Baronet was altogether unsatisfactory to him, and that he should, in consequence, feel it to be his duty to give notice of his intention to move, on Friday next, for a return of all the officers of the army and navy who had been dismissed from his Majesty's service under the provisions of the Act. 59 George 3rd, which was an Act for the better prevention of his Majesty's subjects from taking part with, or enlisting in, the military or naval service of foreign Powers.

DISPUTES WITH THE CHINESE.] Lord John Russell moved the Order of the Day for the third reading of the Reform in Parliament (England) Bill.

Mr. *Stuart Wortley* said, that, before that subject was proceeded in, he was desirous of putting a question to the right hon. Baronet, the First Lord of the Admiralty. Accounts of disturbances between the British subjects and the authorities at Macao had reached this country, and he wished to be informed by the right hon. Baronet whether any information had been received from, or instructions sent to, the Admiral commanding the squadron in the Bay of Bengal, to proceed to the scene of these disturbances, with a view of affording protection to the British interests there?

Sir *J. Graham* would state, for the information of the House, that he had received advices from Sir Edward Owen, dated the 28th of September last, from the Madras Roads, in which that gallant officer stated, that, in consequence of the information he had received from Canton, he had thought it proper to proceed to the mouth of the Hoogly, in order to communicate with the Supreme Government at Calcutta. Since that information nothing, as to the result of that communication, had reached his Majesty's Government in this country.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—THIRD READING.] Order of the Day read. Lord John Russell moved that the Bill be now read a third time.

Lord *Mahon* spoke as follows:—At this the last stage of the Reform Bill—on the brink of the most momentous decision to which, not only this House, but, I believe, any legislative assembly in any country, ever came—when the real alternative at issue is no longer, whatever hon. Gentlemen opposite may say, between Reform or no Reform, but between a moderate Reform on the one hand, and a revolutionary Reform on the other—at such a moment, it is with feelings of no ordinary difficulty that I venture to address you. I have, however, the satisfaction of believing, that, throughout these debates, though overwhelmed by numbers, we have not been defeated in argument, and that, if we look back to our whole parliamentary history, we shall find that, of all the illustrious statesmen who adorn it, not a single one ever framed, supported, or even dreamt of, a measure of Reform one quarter so extensive as the present. Cheered by those recollections, I rise, Sir, to oppose the Resolution which you have just put from the Chair, and to move, as an amendment, that the Bill be read a third time this day six months. Sir, one objection which I have, at the very outset, against this or any other so sweeping measure of Reform, is the principle on which it is founded. It proceeds on this principle—that England has never yet had a good Government; that the House of Commons, since the Revolution, has been thoroughly corrupt; and, whilst it excited the foolish admiration of foreign States, was, in real fact, a scandalous and monstrous abuse. Sir, one of two things must be true; either this Bill is dangerous and revolutionary, or the Constitution, which it professes to remedy, must be rotten to the core. Let me not be told that we are redressing modern corruptions, and that nomination is an aftergrowth of later times. The very reverse is the fact. Every change that has occurred has been in favour of the popular interest. If the House be corrupt now, it was infinitely more corrupt in 1688. You can scarcely show me a single borough that was not then a nomination borough, and that has now become so. On the other hand, how easy is it to name boroughs that were formerly under the control of the Crown, or of the great proprietors, and that have since become independent: some, like Aylesbury and Cricklade, freed by legislative enactment; others, like Lichfield and Hedon, by a process of self-emancipation. Consider, also, the increased power of the popular interests, by the publicity of our proceedings, by the activity of the Press, by the greater responsibility of Members; and thus, every change that has occurred for the last century and a half, except, perhaps, the Septennial Bill, has made Reform not more necessary, but less necessary. To proceed, therefore, on this principle—which, I say, is the principle of the Bill—that this and all former British Legislatures were corrupt, seems to me not only ingratitude for the many blessings we have enjoyed, but folly, if we wish to preserve and to increase them. When I look to the slur which this Bill casts upon all former Governments, I call it an Act of Impeachment against our ancestors: when I look to the danger and ruin that may probably result from it, I call it an Act of Attainder—a Bill of Pains and Penalties—against our posterity. Sir, I may, perhaps, be told, that this unwillingness to condemn our ancient Government is only a prejudice or romantic feeling, which should yield to reasons of state expediency. But I say that the consequences of this principle go much deeper. Will a Reformed Parliament that is, reformed according to the principles of this Bill, respect the obligations of an Unreformed Parliament? Will it pay the debts contracted in an Unreformed Parliament? Will it not be argued, that the House of Commons, which, by its own showing, did not fairly represent the people, had no right to bind down the people; that its contracts are null and void; and that the national creditor should be turned over for payment to the boroughmongers? For my part, Sir, I own that, apprehending, as I do, danger to every one of our institutions from the passing of this Bill, the danger which I foresee to the funds is the greatest and most imminent of all. Hon. Members will come here pledged to a very large retrenchment; for, Sir, say what you will, a wish for retrenchment is the real root of this wish for Reform; and when the people have got Reform, they will expect and demand retrenchment as its necessary consequence. Hon. Members will, therefore, come pledged to retrenchment, but looking into details, they will find, that any further large reduction in the army, navy, and other public services, is utterly impossible, consistently with the public safety. Will the right hon. Gentlemen opposite deny this impossibility? If they do, they are open to the question, since such reductions are possible and expedient, why then do you not make them? I, therefore, apprehend, that the pledged Members I have mentioned, seeing the funds before them open and defenceless, deprived of all the indirect Representation which they at present enjoy through the smaller boroughs, and requiring no skill in finance, and no delay in time, for a reduction—I apprehend, I say, that they will yield to the temptation, and strike a blow at the dividends, and, thereby, let me add, overthrow what, in every calamity, has hitherto remained unshaken—the national honour. Sir, I am anxious to observe, before I proceed further, that these objections apply to a violent Reform, such as that of the present Bill, but not to a moderate Reform; they apply to a Reform which takes for its principle the corruption of all our ancient institutions; they do not apply to a Reform which should take for its principle those ancient institutions themselves—which should touch them with a light, a careful, a reverential hand—which should begin by enfranchisement, and only disfranchise so far as that enfranchisement requires. Such a Reform would throw no shadow on the past; it would throw no blight on the future. It would cut off Gatton and Old Sarum, not because our old system is an abominable nuisance to be immediately abated, but because it is necessary to make room for the growing importance of Manchester and Birmingham. To disfranchisement, under such guards and provisos, I should not be an enemy; to the enfranchisement of the large towns I have always been a friend. But I must observe, at the same time, that, though I wish our large towns to have Representation now, I by no means join in the clamour which has been raised of oppression and injustice, because they had not Representation given to them thirty or forty years ago. I have heard several

Members—my hon. friend, the member for Calne, more especially—speak as if we had, all this while, been denying them their rights. Now, Sir, surely the House must be aware, that, far from claiming these real or imaginary rights, they, till very lately, deprecated them; that, finding their commerce thriving and protected, and their interests strongly, though not directly, represented in this House, they were well content to avoid the agitation, the bribery, and the heart-burnings, of contested elections. Why, then, are we to be so severely censured for merely withholding what they themselves wished us to withhold. Sir, I am convinced, that a moderate Reform, such as I have mentioned, giving Members to large towns, and striking off an equal number of small boroughs, would have fully and completely satisfied the people of England. I am not now speaking of the Radicals. I know that they would not be satisfied. [Mr. *Hunt:* Hear, hear!] I am cheered by the hon. member for Preston, but I will tell him this, that he ought not to be satisfied; that, considering his ulterior views and objects, no good Government should give satisfaction to him or to his friends. But, Sir, I am speaking of the people—the sober, the intelligent, the industrious community of England. I say, that they would have been fully satisfied with a far more moderate measure. The late Government may have fallen short in their expectation of Reform, but I am no less persuaded, that the present Government has very far outrun it. The late Government was unwilling to open this fearful question at all. The late Government was afraid that great accidents, or a long period, might at length bring them to the same violent extent of Reform that the present Government has attained by one single stride. The real fact is this, the people asked for a foot—the late Government would not give them even an inch. They still ask for a foot, and now the present Government gives them a mile. Even now, after all the agitation of this question, I am fully convinced, that a measure of very moderate Reform, brought forward by a Government, and sanctioned by the King, would rally round it nine-tenths of the people of this country. But, even if I am mistaken in this opinion, even if the principles of the Bill are as wise and necessary, as I believe them to be rash and uncalled for—even then, how much have his Majesty's Ministers to answer for, in their conduct with respect to the details! Why was it necessary to unsettle the Representation of every county, city, and borough, in the United Kingdom? Why was it necessary to disturb the relative proportions between England, Scotland, and Ireland? Why was it necessary to give to the skilful hand of the hon. member for Kerry a fresh material for his trade of agitation? Why give Members to the metropolis that never asked them? Why was the Government so hasty and inconsiderate with respect to the practical working of their measure, that now, adhering, as they profess to do, and truly profess to do, to all their first principles, they have been obliged, by the mere force of argument, to alter and new-model every one of their details? Do you think it a slight matter to unsettle the minds of the people on every question connected with their Government—to let them take nothing on trust—to make them go back to first principles on every established institution? Be assured that, valuable as good legislation must always be, the respect of the people for a law is, if possible still more essential than the goodness of a law. You have now, for the first time in English history, legislated for theoretical perfection, instead of practical relief. For the first time, you have taught the people to confound the two ideas of an anomaly and an abuse. They will continue in the course you have taught them. They will find other anomalies in our Constitution, and call these abuses too. Why, Sir, there are sophistries enough to prove all privileges—the privileges of the Throne, for instance—to be nothing but anomalies. Property, too, or at least, the unequal division of property, will be called an anomaly. It is already called so in those infamous penny publications, which the Government of this country ought to put down, and which the Government of this country will not put down. In these I see it urged, that, since all men are born equal; it is a monstrous injustice, that one man should possess a mansion half as large as a palace, and an estate half as large as a county, while another man, at his gate, has only a mud cottage, and a strip of garden-ground. You may call this sophistry; and, no doubt, it seems very absurd to the man with the mansion and the estate, but, depend upon it, it has very fatal weight on the man with the cottage and the garden. I, therefore, do not scruple to say, that if in this country—which God, in his mercy, forbid!—it should ever come to a war of property, on the heads of his Majesty's present Ministers will rest the chief and original guilt. I fully acquit them of any such intention, but I cannot acquit them of such a tendency. It may be found too late that the boroughs which seemed anomalies in our Constitution were necessary to balance other anomalies;—it may be found too late, by the heirs of the great houses of Cavendish and Russell, that there existed a close and secret connexion between the small boroughs and the large estates. Sir, I oppose this Bill as a friend to the landed interest—I oppose it, because I believe the landed interest to be the firmest basis of a constitutional government, and because I believe that the landed interest has been by no means sufficiently considered in this Bill. On this point I am most completely at issue with the right hon. member for Stamford, who, for the first time this evening, found so many and such strong objections to this Bill, as too favourable to the landed interest. But I own, Sir, that I was not only surprised, but deeply concerned, when I found his statement re-echoed and confirmed by the noble Lord, the Paymaster of the Forces. He admitted, this evening, that in this Bill the landed interest enjoyed an undue preponderance. [Lord *John Russell:* I did not say "undue."] Well, then, preponderance; but will not any preponderance appear undue to those who are affected by it? Will not the mere fact of there being any preponderance at all, be a strong objection amongst all classes of the people? and if it were desired to stir them up to further changes, and to raise a cry for a more violent reform, what stronger and more powerful argument could possibly be urged than that a Minister of the Crown—the very proposer of this Bill—had got up in his place in Parliament, and admitted that it did not keep the balance even between the conflicting interests of the State, but gave a preponderance to the one above the other? Are these the declarations by which the noble Lord expects to strengthen and secure a measure which I have so often heard him advocate as a final and conclusive Reform? Even without such rash admissions, he would soon find that the appetite for change in the people, like all other morbid appetites, is not satisfied, but stimulated by indulgence. But now such language on the part of the Minister of the Crown, will afford a sure weapon to the hon. member for Preston, and all others who call for further changes. Sir, I maintain that the agricultural interest, so far from enjoying a preponderance, is to be stripped of its natural and proper weight in the Government. I know that, on this side of the House we have been accused of contradiction, because whilst we have shown how much the agriculturists would suffer by this Bill, it has also been proved, more especially by my hon. friend, the member for Thetford (Mr. Baring), that commercial men would no longer find the same easy access to this House. Say the supporters of this Bill, with an air of triumph, "If, as you say, the agriculturists are to lose, the commercial men are to lose too, who then are to gain?" Why, Sir, I will tell you who, I think, are to gain; the agitators—men without any stake in the country, or any merit in themselves, but skilful in cajoling, and unscrupulous in inflaming the people. What I fear is this, that men of property, whether commercial or landed, will be too much excluded by the present Bill. I believe, also, that several valuable classes of men will, in a great measure, be shut out. Thus for instance, literary men, many of whom have applied themselves to abstruse and philosophical studies, and, coming here, give us, not the dry details, but the practical results of their reading,—some of these are surely not unworthy of a seat in this House. I was anxious to see how the Reform Bill would affect this class; I therefore have gone through the list of the late House of Commons, which, I suppose, will be generally admitted a more fair criterion than the present, as having been elected at a more quiet and regular period. I have excluded the names of those who have written only pamphlets or political treatises, because, undoubtedly, these always have formed, and always must form, effectual recommendations or introductions to large constituencies. But I have taken down the names of all those who have published works on any other subject, and I find that they amount to fourteen. The list comprises many names of real and permanent eminence, and has at its head the venerable and illustrious name of my right hon. friend the member for Knaresborough (Sir James Mackintosh). Now, Sir, of these fourteen, how many does the House suppose were out of Schedule A? or, what is precisely the same thing for my argument, out of the close corporations, such as Tavistock, to be opened by this Bill? How many of these fourteen would not be excluded from Parliament by the present Bill? Sir, only two; and I will name them, the right hon. Baronet, the member for Westminster, (Sir John Hobhouse) and the noble Lord, the member for Yorkshire (Lord Morpeth); all the other twelve are shut out. Sir, there is another class which I think it for the public advantage, to see in this House and which I will not, therefore, shrink from naming; although, perhaps, it may give a handle for saying that I am speaking only from a sense of personal interest. Against such suspicions I will throw myself on the candid construction of the House, —I allude to the eldest sons or heirs-apparent of Peers. I do think it of the highest importance, if we are to have a House of Lords at all, that those who are to compose it should be trained in habits of business—should be drawn from frivolous amusements; and, above all, should be deeply embued with a free and popular spirit, and feel that sense of communion with their fellow countrymen which in this House is so conspicuously shewn, and so certainly acquired. Of all the many eminent statesmen who are to be found in the House of Lords at present, I only remember one—Lord Holland—who has not received his political education here. Nor is this improvement confined only to first-rate minds —even the humblest may partake of it. I am sure that, for my own part, short as has been the time I have sat in this House, I should leave it, if this Bill pass, with the conviction that, should the duties of the Peerage ever afterwards devolve upon me, I should be able to discharge them much less imperfectly and unsatisfactorily than would otherwise have been in my power. I do think this system a very great benefit, not to myself personally—not to us as a class, but to one of the three branches of the Constitution, and, therefore, to the whole Constitution, and to the whole country. I would really beg leave to press this point upon one who is himself a distinguished Member of that class—I mean the noble Lord the Chancellor of the Exchequer. Will he deny the benefit I have mentioned? Or will he admit the benefit, but, say, as has sometimes been done, that he has provided a different channel for the admission of this class, by the increased representation of the counties? Sir, if such be his argument, I will grant him that it is true of some counties—it is true of Northamptonshire—it is true of Devonshire; but I can assure him that there are other counties where the case is entirely different. In Kent, for instance, the county with which I am best acquainted, there exists, and always has existed, a very strong objection to elect the eldest son of a Peer. And this is not from any feeling of hostility to the Peerage; but, they say: "We consider the representation of our county a most important trust; we wish any person whom we select as our Representative to continue so as long as we are satisfied with his services; we do not wish that the death of his father, or of some other relation, should call him, when we least desire it, to another House, and oblige us to look round for another Representative." Now, is not this a perfectly fair and constitutional objection? And so strongly has it prevailed in practice, that I scarcely recollect an instance when any son of a Peer has been Member for that county; nor is this feeling confined to Kent; it extends through many, and, perhaps, through most counties. Take the opposite extremity of the kingdom—for instance, the county of Northumberland. I am informed that a feeling of that sort is very prevalent there,—that in consequence of it, my noble friend (Lord Howick), who now represents that county, was most signally defeated, on a former occasion, and only succeeded at the last election through the overwhelming cry for the Bill. I admit to those hon. Members opposite who cheer me, that the cry for the Bill was at that period overwhelming; but I will tell them that, like all other violent impulses, it has proved proportionably short-lived and evanescent. But, to return to my argument: I believe, for the reason I have stated, that, if the noble Lord, the Chancellor of the Exchequer, expects the eldest sons of Peers to be commonly returned as county Members, he will find himself completely mistaken. Sir, I have already trespassed a long time on the indulgence of the House, and will not try it further by re-capitulating all the other objections which have been urged against this Bill. But, I will entreat every hon. Member to recall them to his mind, to consider their number and their weight, and then seriously ask himself, what advantage, even on the showing of the Ministers themselves, are to be found in the opposite scale. We, the adversaries of this Bill, call it a complete revolution; but, even its supporters admit it to be a doubtful experiment. What advantages, then, are we to gain from the fearful risk, if it succeeds? Sir, we have been told, that this measure will secure the maintenance of peace—that a reformed House of Commons will never go to war—that we may look forward to ingenious and wonderful reductions of the public burthens. Really, Sir, I am almost ashamed of dealing with this sort of one-shilling gallery argument. No wars!—why, does not history show us, on the contrary, that all democracies are naturally warlike and aggressive? that in this country the people have urged war upon the Government infinitely more often than the Government has urged war upon the people; and that the late war, especially, which is now represented as the cause of all our distresses, was upheld by the all but unanimous approbation of the country? Then as to economy; can it fairly be said, that this, or any other House of Commons, is not ready to back any Minister in the schemes of retrenchment? He will, indeed, have great difficulty (as, I believe, most Ministers have found) in inducing them to keep up his Estimates, but is perfectly sure of a great majority as soon as he comes to cutting down. Really, Sir, such shilling gallery arguments, as I think I was justified in calling them, are unworthy the serious discussion of this House. The real fact is, that there is only one argument in favour of this sweeping change—only one—that the majority of the people wish for it—that their minds are made up—that there is no use in refusing their demands. Sir, I do admit there is weight in this argument; I do admit that it is decisive in favour of some Reform; but I do not think it, in my conscience, to be decisive in favour of this Reform. I believe, too, that, though the majority of the population is for this Bill, a majority of the property and education of the country is arrayed on the side of moderate Reform. We have also grounds for believing that the majority are partly changing in their opinions, and partly cooling in their vehemence. Why, Sir, of this change I have seen two remarkable instances since I entered the House this evening. The first to which I refer, with the greatest pride and pleasure, is, the result of the Dorsetshire Committee—that result which has been so exultingly expected by the hon. Members opposite, as sure to put an end to the short-lived triumph of the "whispering faction." The second is the petition intrusted to my hon. friend, the member for Okehampton, (Sir R. Vyvyan)—and it could not be intrusted to better hands—proving that the same county which would not return an opponent of the Bill at the last general election, has itself become opposed to many clauses in the Bill. I am reminded that a third proof has been afforded this evening—a living proof—by the right hon. member for Stamford, whose speech has shown how speedily, after the passing of this Bill, the latent seeds of discord amongst those who are now banded together for its support, would ripen into animosity. But, Sir, admitting, and I do admit, that the majority of the population is in favour of this Bill, I say that to yield implicitly and blindly, and of course, to the will of a majority of the population, is the principle of a republic, but not the principle of a monarchy. Our constitutional principle is, that the will of the people is not indeed to be altogether resisted, but may be considerably guided; that we are not only entitled, but bound to bring their wishes into some degree of accordance with their own real and permanent interests. Sir, I cannot refrain, in conclusion, from appealing most earnestly to those hon. Members opposite—those more moderate Reformers who voted against us on the second reading, but voted with us on so many points in the Committee. Let me most earnestly conjure them, on this most momentous occasion, to dismiss from their breasts every spark of party feeling, animosity, and discord. Let them not yield to any false pride of consistency, to any vain love and popular applause. Maintaining, as they do, a central position, on them may perhaps depend the decision of this great question. In their hands may be the issues of life and death to the Constitution. Since they feel the defects of this Bill, since they have striven with us to amend it in Committee, and striven in vain, are they justified, let me ask them, by their votes this evening to inflict these defects for ever on the country? Let them consider, whether it may not be possible in a more moderate measure to combine the advantage of prescription with the advantage of improvement. I know that many of them only yield to the torrent because they think it irresistible—because they think there would be tremendous danger in resistance to this Bill. Sir, I do not deny that there is no danger in resistance to this Bill, but I maintain that there is no safety in concession to it. At all events I would remind them of the eloquent emphatic declaration made in another place by a noble Earl last year. Addressing himself to the First Lord of the Treasury, who sat opposite;—"I cannot," he said, "escape the consequences of your rashness. If a revolution ensue, it must crush me as well as you; but on one thing I am determined, that though I must perforce be a partner in the penalty, I will never be an accomplice in the crime."* Sir, I move as an Amendment, That the Bill be read a third time this day six months.

Sir *John Malcolm* rose, to second the Amendment, and said, he most cordially concurred in the sentiments of the noble Lord who had just addressed the House. He had formerly given notice of a motion for nominating a constituency to return Members to represent the interests of India, but he had withdrawn it from seeing no such prospect of success as would warrant his delaying the progress of the Bill, stating, however, his intention to deliver on its third reading his general sentiments respecting it, and the manner in which it would affect the subject of his notice. He was the more emboldened to expect the indulgence of the House, from the fact that, when the Bill was in Committee, he never once addressed any observations to them upon the subject, because he felt that the details were in far abler hands than his, and he would, on that account, not interfere with them. Upon a former occasion he opposed the disfranchisement of the sons of freemen, because he was apprehensive that such a provision in the Bill might be productive of very great discontent, by rearing a race of Englishmen who could never forget they had been deprived of their rights of inheritance. He had also argued that our municipal institutions instead of being destroyed, ought to be extended to every community that could derive benefit from their establishment. The present Bill had been improved on these points, but his objections to its more material parts remained unaltered. His great objection to the measure was, the principle of change it introduced, which had a tendency to alter and disturb a great deal more than it could ever settle. It defamed our ancient Constitution, and trampled on all those prejudices, passions, and interests, which influenced, but were not dependent on reason. Those landmarks had a tendency to keep every form of Government and society, whether civilized or otherwise, together. Instead of being founded on the principles of long usage, it introduced the form of a new Constitution framed more to alter, than improve that of this old, this great, and glorious empire. Those who prepared the Bill did not act like skilful physicians. On the contrary, they acted like a medical man who, finding a patient a little indisposed, administered to him such a dose of alterative medicine as produced a complete change and derangement of his whole system, and consigned him to debility, if not to death. They were now going to alter a Constitution which long experience proved to possess a most valuable principle of self-adjustment, of accommodating itself to the various changes which time and circumstances and the wants of society, had produced. From time to time in this country most beneficial Reforms had been introduced, Reforms which adapted themselves gradually to the changes in society. Did there ever exist, or could there exist, any system of human Government which could effectually and completely prevent abuses? They must, at all times, and under every form of Government, arise occasionally from the passions and feelings of men. A form of society completely exempt from abuse never did, and never could exist; for States would always be more influenced by the dictates of passion than by reason. The Constitution of this country had been the theme of praise by the greatest men in that and the other House of Parliament, and it was from them he learned to appreciate its merits. He could not possibly understand why it was necessary entirely to remodel such a Constitution. Because the late Government were disposed to do too little, was that a reason why the present Government should do too much? It would be totally impossible that any Administration, when a measure of this kind was brought into operation, could have strength sufficient in Parliament to carry on the Government of the country, consistently with one straight course of policy. It would be liable to be veered about by every gale of popular opinion. This objection applied, not merely in relation to this country alone, but to its distant colonies. His Majesty's Ministers studiously avoided all allusion to this branch of the subject. It was true, indeed, that his hon. friend, the member for Middlesex (Mr. Hume) proposed giving Representatives to the colonies, but it was rejected by Ministers, who stated, as a reason, that the subject was too important to be discussed incidentally, and required serious and separate consideration. He suggested to his noble friend, the Chancellor of the Exchequer, a plan which embraced the Representation of India, but it was received by his noble friend with an ominous shake of the head, which did not indicate that it met with any favour in his mind. He merely threw it out for consideration to his noble friend, having had no intention to press it upon the House. The West-India interests required dispassionate and serious consideration, and every concession, not injurious to the general interests of the empire ought to be made to their feelings. He was sorry to see the colonies entirely neglected in a Bill of this kind. It appeared to him that the disfranchisement and enfranchisement parts of the measure were equally objectionable, and equally fraught with injurious consequences. Hitherto the small boroughs had been the means of introducing to that House men of talents and of great commercial wealth. He did not see how they were to find their way into it hereafter. It was not unlikely that the newly-created boroughs would send Representatives who, considering merely what they might think beneficial to the particular place they represented, or guided by the limited views of their constituents, would greatly embarrass Government and the Legislature upon questions of the highest importance. He would mention, for instance, the question affecting their Eastern possessions, which must come on at no distant period. One consequence of this Bill would be, to crowd their Table with petitions upon the questions of Indian government and Indian trade, which might eventually lead to most disastrous consequences. Ministers spoke of this Bill as a definitive measure; but was that the view taken of it out of doors? Had they not a specimen of what was likely to follow? In one quarter the property of the Church was attacked and surrendered as the price of supporting Reform. Were they not told that the very first act of a Reformed Parliament would be to overthrow Church property, and that if Parliament rejected the measure, they should have thunder at their doors? The people, he admitted, demanded some measure of Reform, but not this. This was, also, admitted by the hon. member for Sudbury, who, like *Shylock*, cried out, "A curse never fell upon our nation till now." He felt confident that many who supported the measure before, were desirous now to see it rejected, and that they continued their support only through fear of the consequences. Let Ministers entertain no apprehensions on this account. If, after such long consideration, they now felt convinced that the measure was too large a one, and that a moderate and equitable and gradual Reform, would suit the country better, let them get rid of it, and they might rest assured they would be joined and supported by a party who would lead them to triumph. They would be opposed and threatened, indeed, by demagogues and agitators, who mistaking themselves for the mighty waves on which they are but the floating bubbles, delight in the troubled waters; but danger from that class of men was only to be apprehended when they were encouraged. To render them harmless, it was only necessary promptly and decidedly to oppose them.

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* Hansard, vol. vii. p. 1176.

Mr. *Wilbraham* expressed his determination to support the proposition of his Majesty's Ministers to the utmost of his power; he felt it necessary in the outset, to deny the allegation of the noble Lord opposite (Lord Mahon) that a re-action against the Bill existed at present in the county of Chester. The petition which had been presented that evening was, no doubt, respectably signed, but it did not speak the sentiments of the majority of his constituents. He did not pretend to speak of their opinions on all the separate clauses of the Bill, but he could say that, judging from the enthusiasm they displayed in favour of the former Bill, and from the opinion they had expressed in favour of the present, he did not think there could be any change in their sentiments. The people of Cheshire had, with one voice, joined in condemning the nomination boroughs, and on that question, as well as many others, he knew their opinions were unchanged. With respect to the Bill then before the House, he admitted that it had its defects and anomalies, and he had said so more than once in the course of the discussions on its provisions; but what were all the defects, and faults, and anomalies of the Bill, compared with the enormities of the present system? It had been said by some of the opponents of the Bill, that its provisions were a scaffold, raised by a few artful, designing, and wicked men, to build up the accomplishment of objects which would prove destructive to all order, rooting up the foundations of property. That there were individuals in the country whose purposes were unjustifiable, he did not mean to deny; but, in his opinion, this measure would have the effect of checking, and not of supporting their views. As long as human nature remained the same, there would be a difference of ranks and situations in society, and mankind would be divided into the richer and poorer classes. But, he would ask, were the great mass of the people to remain deprived of their rights, because there happened to be some few persons who would wish to take advantage of the prejudices or misfortunes of a class, in order to go further than prudence and experience would sanction? He believed most conscientiously, that the surest bulwark they could raise against such men and their projects would be the passing the Bill now before the House into law. It was truly said by the noble Lord, the Chancellor of the Exchequer, on a former occasion, that the time had gone by when any party of men could hope to govern this country by setting up one Administration and pulling down another. The people would no longer consent to be governed on any other principle than that which was consistent with the exercise of their Constitutional rights. If there ever was a popular right which might be fairly said to approach to a natural right, it was that of sending Representatives to Parliament, without the influence of the Crown, or the interference of any party except the people themselves. In giving his most strenuous support to the Government in the measure they proposed for the assurance of that right, he himself adopted no new principle, and forfeited no former pledge. He merely carried into effect those principles he had always entertained and firmly supported. That which was formerly prospective had now become a certainty, and the system which had been merely contemplated as a good which might be one day achieved, was now acknowledged to be absolutely necessary for the salvation of the country. This principle, therefore, as it was laid down in the Bill, he would support under all circumstances, because by it they would obtain that security and that confidence in their institutions which must flow from a full, fair, and free Representation of the people in the Commons House of Parliament.

Sir *Robert Inglis* said, he would on this, the last stage of the Bill, call the attention of the House to its injurious effects to the destruction it would accomplish, and to the means by which that destruction would be consummated. It was said by its supporters, that this measure was a restorative and a conservative measure, while it was evident that it would sweep completely away every constituency in the empire, with the exception of those of the two Universities. Such a measure he must call revolutionary, and not restorative. In an ancient State it was customary for those who proposed laws to do that with a halter round their necks, and if the proposition were adjudged to be mischievous, they suffered death. He almost wished that such were the practice in this country, for his Majesty's Ministers had, in the present instance, perpetrated a greater crime against the State than any other body of public men within his recollection. The boroughs proposed to be disfranchised by the Bill, had sent Representatives to the House ever since the Parliament was known, and now at "one fell swoop" they were all to be swept away. He was greatly surprised, on a former occasion, when he heard the noble Paymaster of the Forces say, that those boroughs had no right to send Representatives to this House, and those Representatives had no right to impose taxes, because such a doctrine was of the most dangerous tendency; it would shake every institution to its centre; it would upset all the former Acts of this House, and even stultify all its present proceedings. That doctrine taught the people not to obey the laws. It held out the taxes as illegal, because it denied the authority by which they were imposed. That House was, according to the noble Lord, an unconstitutional Assembly, and had no right to bind the people. Yet the boroughs to be suppressed were not hostile to liberal opinions, for many of the Gentlemen who now supported the Reform Bill sat for those boroughs. Nor could he forget that our most liberal politicians and greatest Statesmen had sat for those boroughs. He could not find one which had not sent some great man to Parliament. The great Lord Chatham "that cornet of horse who shook the Senate with his eloquence," sat for Old Sarum, much as it was now abused. Those boroughs, too, proved as useful to the present Ministers as to any who had preceded them. How, he would ask, was the return of the noble Paymaster of the Forces secured before his election for Devonshire. Why, by a borough, which was now, happily for the noble Lord, to be preserved. In fact, so averse was he to the destruction of boroughs, which had almost a prescriptive right to send Members to this House, that he should be content if the noble Lord and his associates should take possession, not only of their own, but of every Tory borough in the country; hoping that in time they might themselves, perhaps, become Tories, but being at all events convinced that those interests should be preserved. A great deal was said in former debates about the absence of a sufficient constituency in old Sarum; but he could now state as a fact, that the property represented by the two Members for that borough amounted at least to a million and a-half of money. Did not such a mass of property, he would ask, fully justify Old Sarum in having two Representatives? He was sure that the amount of taxes paid on that property more than equalled the taxes paid by some of the noble Lord's new boroughs. Besides, it was necessary, as had been ably stated just now by his hon. friend (Sir J. Malcolm), that the distant parts of our empire should have Representatives in that House, and that great object could only be effected by the existence of boroughs of that character. On this part of the subject, he begged to notice a statement which had been formerly made by the present Lord High Chancellor, relative to the Nabob of Arcot having had twenty Representatives in this House. The fact was otherwise, and he had papers in his possession, which would demonstrate that, in place of twenty, he had not eight Members in Parliament. The statement was greatly exaggerated, for he could prove that, in thirteen years, it had only cost that prince about 13,000*l.* for parliamentary assistance to support his rights. It might be said that, in making this observation, he did not deny the guilt of the transaction. But he meant to show that the fact was greatly exaggerated, and that a degree of criminality was attached to the transaction, which it did not deserve. The Nabob had claims to Tanjore; Tanjore was taken from him by England; and he owed considerable sums of money to British subjects, which he was forced to pay. If this country took kingdoms from the princes of India, and imposed millions of imposts on them, was it not fair that they should have some persons within those walls to protect their interests, and endeavour to redress their wrongs? In his opinion, the circumstances in this case had been very much exaggerated, and the system was not an evil of such a nature as to be without palliation. He saw nothing unjustifiable in an Indian prince, whose interests were concerned, having within that House individuals who would exert themselves to support those interests. It was said, that the disfranchised boroughs were not wholly disfranchised, because the constituency would be enabled to vote for some other place, or for the county in which the borough was situated. But take the case of Bath, and he would ask, whether existing rights there would be maintained by this Bill? No such thing. The constituency of Bath consisted of a Mayor, eight Aldermen, and twenty-four Common Councilmen. They would still, under this Bill, have the right of voting, if they resided in 10*l.* houses; but that right would be extended to no less than 7,314 persons, who also resided in 10*l.* houses. This, of course, rendered the right less valuable. It was a different thing to share a glass of wine with a friend, and to empty a bottle of wine into a horse-pond, and invite all the neighbours to partake of it. In the same way, it was one thing to share a privilege with thirty-three persons, and another to extend it to 7,314. He remembered, that, when the Bill for disfranchising East Retford went up to the other House, that it was opposed by the Lord Privy Seal with a pertinacity that could only be equalled by the boldness with which Members had now disfranchised eighty-six boroughs. The contrast between the conduct then and the conduct now, would puzzle future historians. The Bill was pregnant with anomalies and changes. In the case of boroughs to be retained, they were not saved because of their prescriptive rights, but because of the new qualification proposed by the noble Lords opposite. This remark was made by the *North American Review*, in an article written by a gentleman who was no enemy to Reform, but who was well acquainted with the working of the popular spirit. He had formerly represented Ripon, and he could then declare that he had acted as independently as any other Member in that House; so, he was sure, had the learned Gentlemen who were his successors, although, he would admit, the constituency of that borough was not large. But he wholly denied, that Members for places of that description could be justly called the liveried menials of great men, or designated as being hired by them, and receiving wages. He knew from his own experience, and he could answer for the assurances of others, that there was no check on their independence, and that nothing could be more unjust than the statements made as to the control exercised over the Members of places having small constituencies, by those who were supposed to influence the returns for those places. It had been stated, that many of the boroughs disfranchised were corrupt; and such, he believed, would be the case in many of the boroughs under the Reform Bill. He believed, it was not because there were thirty voters, or 300, or 3,000, that corruption prevailed, but that, in most cases, where the demand was large and the supply small, money would be given both for voters and seats in the House. It was idle, therefore, either to deceive themselves or the people, to state that they could ever have a Parliament freely elected, or one without corruption. Even in the Congress of America the system of Representation was neither free nor without corruption. So long as human nature remained as at present, large masses of electors would never return Members merely upon principle. There would always be found boroughs of "Guzzledown," and "Sir Francis Wrongheads" to represent them. The family of that Baronet was, indeed, one of the oldest and most extensive in England. It had been said, that those who were distinguished for their adherence and devotion to the truths and practice of Christianity—that those who professed high and incorruptible principles, were imperatively called upon to support a measure like this, which went to put an end to so much political iniquity. But he would maintain, that the evils in this instance were evils incidental to human nature, and that the correction of such evils was to be found in a reformation—a thorough, and moral, and Christian reformation—of themselves. It was idle to contend that a Representative system was the end of government. It was no such thing. The end of government, as Mr. Hume had justly explained, was the protection of life, liberty, and property, and they should not sacrifice a government which fully answered all such purposes to unsubstantial theories and untried experiments. It was long ago laid down by a celebrated political writer, in a letter to Dunning, that the public ought never to receive a benefit at the expense of an individual, and that a private wrong should not be committed without ample compensation. In this case, however, such a course was not pursued. The members of corporations were deprived of rights which they had possessed for a longer time than any Gentleman opposite could trace the possession of his estate. The House had just as much right to take an estate from an individual as to deprive persons of rights of this nature, without giving them any compensation. They were about to sacrifice, however, a species of property coeval with the existence of the Representative system itself, without taking into consideration those means of compensation to which the individuals possessed of the property in question were fairly entitled. Having thus far called the attention of the House to what the Bill destroyed, he would now proceed to state the mischiefs which he feared it would produce. It had been stated, and truly stated, over and over again, that the Bill would create an unwieldy democracy of 10*l.* voters, which he thought the Government themselves would not know how to manage for the future. In Greenwich and Deptford there were only 1,200 houses, rated at from 10*l.* to 20*l.*; in the city of Coventry the number was 1,500 who held 10*l.* houses; with regard to that place, he would beg to trouble the House with a fact illustrative of the probable working of this Bill. He held in his hand the copy of a petition of landlords of houses in Coventry, let to tenants under 12*l.* a-year rent, against the hon. member for Shrewsbury's Bill. They complained that there was from one and a-half to two year's rents due to them from this numerous tenantry, whom they described as "this pauperism population." These were the persons who by the Bill were to have the charge of the interests of this great empire. Why, even a candidate on the hustings would be ashamed to address them "as free and independent." This would be the case, not only in the manufacturing towns, but in those places to which the Government had extended the franchise in direct contradiction of their own principles. He alluded to such places as Marylebone, Brighton, and Cheltenham, in each of which places there would be a numerous constituency, chiefly composed of the lower classes of voters, and where there was no peculiar interest, either commercial or manufacturing, to be represented. The Bill was constructed, not to support the great interests of the State, but merely, he might almost add, with a view to court mob popularity. He would not say that every anomaly was in itself an abuse, but surely a little consistency was to have been expected from Ministers. Why, for example, should they have given one Member to every 19,000 in the county of Durham, and only one to every 100,000 in London and its environs; and if they looked to the assessed taxes as an element, London paid one-fifth of the whole amount, and yet was only to receive one-fifty-fifth part of the whole Representation. The Ministers could not set up prescription as their plea; for when they once relinquished the high ground of prescription, as they did in this measure, and went upon a defined certain principle, they could not, when they deviated from that principle, recur to prescription in the defence of their own inconsistency. The Bill seemed to him to proceed upon no one principle of taxes or population, although the learned Lord (the Lord Advocate) had stated, in one of the recent debates on this subject, that there could be no harm in disfranchising boroughs, or varying the principle upon which the new Representation was to be effected in that House. There was no harm, according to the learned Lord, in any one principle of the Bill, and, therefore, there could be no harm in the combination. Charcoal, nitre, and saltpetre, were, taken individually, very innocent things, but, in a state of combination, every one knew that gunpowder would be the result. This Bill appealed to the will of the people out of doors; it did not grow out of the wishes or at the request of this House; and he was sure that the Government who raised the storm would be utterly unable to direct its course, or avert its calamities. They were told, that it had not been made a party question by those who brought it forward. If the House and the country had seen nothing but that letter in which appeared the celebrated expression of "the whisper of a faction," that in itself was enough to stamp the whole question with the character of a party proceeding. There was another letter, also, which, no doubt, was meant not to meet the eye of the country at large, in which the Prime Minister was seen in correspondence with the chief of the Political Union at Birmingham; that letter and the cause which produced it would be found in the *Times* of the 5th of July last—the extract was as follows:—

"REFORM BILL.—YEARLY TENANCIES. Birmingham, with its usual political activity, had anticipated the elective feeling of Manchester. The Council of the Political Union, immediately on detecting the cloven foot in the Bill, drew up a memorial to Earl Grey, in strong but respectful language, remonstrating against the clause, and stating its breach of faith, if retained. This memorial was transmitted to Lord Grey on Wednesday last, to which his Lordship, by return of post, sent the following reply:—

"*Downing Street, June* 30.

"Sir,—I have had the honour of receiving your letter, enclosing a memorial of the Council of the Birmingham Political Union, in which objections are stated to limiting the 10*l.* franchise to persons paying their rents half-yearly. It is with great satisfaction I have to inform you that the words, so limiting the franchise, were inadvertently inserted, and will be altered in Committee, the only object in contemplation being that of ensuring a *bonâ fide* holding of 10*l.* per annum. The memorial also refers to another supposed alteration as to the division of counties. You will find, by referring to the Bill of last Session, that, on this point, no alteration whatever has been made.—I have the honour to be, Sir, your obedient Servant, GREY."

"Thomas Attwood, Esq."

Would any man, knowing the character of the Prime Minister of England, have believed it possible to have seen his name signed to such a document, and addressed to the chief of a Political Union at Birmingham? This showed a series of concessions on the part of the noble Lord and his colleagues to parties not recognised by the law or the Constitution, which brought the country to such a state, not more than three months ago, as threatened that all deliberation in that House would be interrupted. It had been stated, that it was necessary to concede, in consequence of the excited state of the public mind on the subject of Reform; but a similar feeling prevailed in 1817, which afterwards entirely subsided. At that time, the hon. Baronet, the member for Westminster, presented 600 petitions to the House in favour of Parliamentary Reform; the excitement, however, which then prevailed came to nothing; but then we had not a Government founded on the principle of *La Jacquerie*. Were the most alarming results to be much longer avoided if the Government itself came down to the House and demanded the passing of violent measures, supported by the lowest of the people? And what was the state of things under which such a change was rendered necessary in favour of the power of the people? The right hon. Gentleman, the member for Knaresborough, nearly thirty years ago, when the power of the Press, and the democratic power generally, had not attained half its present influences in speaking of the then increase of newspapers, in his "*Vindiciæ Gallicæ*," expressed himself thus:—

"In the course of the eighteenth century, a great change took place in the state of public discussion in this country—I speak of the multiplication of newspapers * *

At home it has produced a gradual revolution in our Government. By increasing the number of those who exercise some sort of judgment on public affairs, it has created a substantial democracy, infinitely more important than those democratical forms which have been the subject of so much contest. So that I may venture to say, that England has, not only in its forms, the most democratical government that ever existed in a great country, but in substance has the most democratical government that ever existed in any country, if the most substantial democracy be that State in which the greatest number of men feel an interest and express an opinion upon political questions, and in which the greatest number of judgments and wills concur in influencing public measures."

If this was the state of things, as described by so competent an authority, thirty years ago, let him ask whether there had not now been far more of the democratical form and spirit infused into every part of the system? Yet it was to a country like this, increasing day by day in its democratic tendencies, that they were called upon to add to the power of its democracy, so as to destroy every other influence but that of the mere physical force of the people. He would not trespass upon the House by going into some other considerations which had occurred to him upon this part of the subject. He would not now stop to state what the same measures and principles as were now brought in in the shape of a Reform Bill had done in this country in other times, or what they were actually doing in other countries at the present time. He should limit his further observations to what those measures would, in all likelihood, effect in this country hereafter. It was impossible to give this Bill a fair and rational consideration, without looking to the bills for all the parts of the empire, and considering the whole as a general system for reforming the Constitution. Taking it in that view, he must then say, that Ireland had already had her Reform twice over—at the time of the Union, and at the passing of that measure, which was agreed to three years ago. It was asserted, very confidently, that Ireland would send, under the alteration that was then made, seventy-five Members into that House, for what purposes were now very well understood. It was well-known how the band of forty now in the House were conducting their operations, and he would leave it to the House to say, how any Government could go on with such a band even of forty, ready to shift and turn with any party as might suit their views. How, he would repeat, could any Government go on with such a party in existence, even without any increase of their numbers? But, if their numbers were to be increased to seventy-five, as would be the result of this Bill, then he would say it would be impossible for the Government of this country to be conducted with such a body in its Legislature. And, if it should be the intention of the Government so to increase their own embarrassments, and the embarrassments of their successors, then he called upon English Members to reflect, that every question concerning England which came to be decided, must be so decided by the body which he had described, always standing apart, and ready to take any side, according as it furthered their own separate views and interests. Upon other great questions the same change was looked for in all the policy and proceedings of the House of Commons. They were told, only the other day, to wait until there was a Reformed Parliament, and then see what would be done to the Judges if they dared to convict a patriot. Let them wait and see what would be done with the Corn Laws. Surely this was enough to show landed Gentlemen what they had to expect. Then nothing was more certain, they were told, than that the first work of a Reformed Parliament would be to attack the Church. Why, then, he called upon the House to look to Reform as to its effects, and ask themselves whether they were prepared to incur the gratuitous task of grappling with them, instead of refusing to give them existence? Reform was not a toy—it would be found a weapon—and let them regard it as to its probable use and its certain intention. And, above all, he would say, let not the other House of Parliament suppose, that it would get off with the sacrifice of the Courts of Justice, the Corn-laws, and the Church. Do not let them suppose, that even by giving up the National Debt they would be safe, for they would still be called upon to surrender their own rights sooner than some of them supposed. He believed that the other House of Parliament would not save themselves, though they threw up the National Debt, the Corn-laws, the Church, the Courts of Justice; and all the arguments which had been heard in that House, upon the present question, went all equally against an hereditary Peerage. Why, when the Peerage was abolished in France, they were told that it was as vain to expect a difference in the height of the tide at Dover and at Calais, as to maintain a different level for the institutions of the two countries while both were free. So he said, too, unless we were prepared to stand by the exclusive institutions which still remained to us. Without that there was no stopping, no holding back, until we had sacrificed, first, our agricultural system, then our Courts of Law, then our Church, then the public creditor, until nothing was left to tell even of the wreck of our former glory. If such an empire as England were to be sacrificed to these vain theories, he would leave it to the noble Lords who brought them forward, and gave them an existence which the wildest visionaries never expected them to enjoy, to ask themselves, as sooner or later they must, what was their responsibility. By an article in the *North American Review*, he observed, that even the constitution of some of the North American States required a larger majority in favour of any fundamental change than his Majesty's Ministers had ever yet procured for their measure before it could be even submitted to the Executive. The measure must receive the sanction of three-fourths of each of the bodies in the State, before it could become law. Here it was openly proposed, in order to carry this particular measure, to destroy one branch of the Legislature, though the Government had not obtained in favour of that measure near the required proportion even in the other branch of the Legislature, which in the States of North America, was required before any change could be proposed to the executive. He would never consent to sacrifice that Constitution under which the glory and the happiness of the country had so long grown together, and especially without something like proof that they were about to exchange it for a better. He would, therefore, reject the proffered change of the noble Lords, and stand upon the Constitution as it had been intrusted to their care. *Signifer, hic statui signum: hic optime manebimus.*

Mr. *Slaney* said, that, by the Bill the Representation of the country would be placed in the hands of the most intelligent and the most deeply interested classes of the community. In his frequent communication with those classes, he had not found one of them who was not most anxious to receive this boon, and who would not exercise it to the greatest advantage for the country. By giving the industrious classes that boon, the House would identify itself with the industrious inhabitants of the country. Some Gentlemen doubted whether the franchise could, with safety, be intrusted to a constituency like that proposed under this Bill. He, however, anticipated no such result as the hon. Gentlemen opposite had stated would flow from this measure. It was proposed to place this power in the hands of the most intelligent mechanics, the most skilful artificers, and the most steady shopmen—men who, by their industry and integrity, had placed themselves in a situation of comparative comfort, and by this measure a large class of men would be bound to the Legislature by the strongest ties of gratitude, and a powerful inducement held out to upright conduct. Not only those who were already in the situation described would become supporters of the Government, but all those who had the expectation, by industry and perseverance, to be placed in similar situations. This latter class was constituted of the great body of the industrious classes. A portion of political power was placed in their hands—those who were now dissatisfied would become attached to the institutions—they would be made the upholders and supporters of the institutions, whose dispositions and feelings were formerly alienated. Could it be doubted for a moment, that this was a most important result? But it was said, that, by thus enlarging the constituent body, the character of the Members who would be sent to that House would be changed. At present, Gentlemen were sent here as they were attached to one political party or another. He would admit, that the people would regard this as comparatively of little importance, but would choose such Gentlemen as they believed would truly represent their opinions, and vindicate their interests in that House. He did not think that the new constituent body would return a Gentleman, solely in consequence of his abilities as an orator, or in consequence of his usefulness to his party as a Whig or a Tory. These had too long been the qualifications to a seat in Parliament, while the more important one—namely, a man's habits of business, and his capability to attend to the interests of his constituents—had been neglected. In a Reformed Parliament the political parties which now existed would have little weight, and men would not be sent there because they were gifted with great eloquence which they might occasionally be called upon to exert on grand occasions for the interest of their party—those would be returned who would sedulously devote their time and attention to the important business of the House, and who would anxiously watch over the interests of their constituents. They should then have not men who only occasionally attended in their places, but those who were constant in their attendance, and who would be desirous to promote the well-being of the great communities who sent them there. He would appeal to any hon. Gentleman whether, at present, a full attendance could be obtained unless when party politics or great political questions were before the House, and whether nearly all the important business of the country was not done when only sixty or seventy Members were present? The interests of the country must now be regarded as beyond the mere distinctions of party, and its manifold wants required, that men of business should be in that House, by whom the important affairs of the country would be better attended to than they ever yet had been. And here he could not help observing, that the business of legislation had too often been carried on in that House in a manner utterly unworthy of their situations. During the last few years, the careless manner in which laws had been placed in the Statute Book, was absolutely disgraceful. This was not the fault of hon. Gentlemen on either side of the House, but he trusted all would see that the measure of Reform would afford a remedy for this crying evil. Could any man doubt for a moment that the alterations which were introduced by the late Government were adopted in too hasty a manner? Could any man doubt, again, that the alterations in the Game Laws, which were proposed from his side of the House, were not made after due deliberation and consideration, or that they were carried in a way they would not have been had there been the necessary time allowed for consideration? If party feeling were set aside—and, in his opinion, this ought to be done, the beneficial results which would accrue from having 200 men closely watched by their constituents, who must come there careful of the interests of those they represented, and desirous of doing all in their power to satisfy them, and preserve their support, would soon become apparent. It was, and always had been his wish to avoid creating or increasing any of that excitement which was now so prevalent: but, with the permission of the House, he would make one observation with respect to some remarks of hon. Gentlemen opposite. Could any man deny that the opposite side of the House was placed in a very peculiar and unfortunate situation? Was it not a notorious fact that men of station, men of character, men of talent and ability, well qualified to retain their seats in the House, had been thrown out during the late season of excitement, solely because they had opposed the Bill of Reform? Was it not true that they had lost their seats on no other ground than this? As soon as this question was satisfactorily settled, he firmly believed that many highly respectable individuals, whose political opinions on this subject had been the cause of their losing their seats, but whose integrity and capacity eminently qualified them to sit in the House with honour to themselves and advantage to the country, would be restored, if not in the next Parliament, in which some excitement might still prevail, yet probably in the ensuing one; for, at all events, these qualities could not fail to have their proper weight after a short time. He would ask, was there a single man in the House who did not know, within his own circle of observation, cases like these; and, did not the fact clearly prove the determination of the people to support Reform? On the other hand, if so humble an individual as he was might venture to advise his hon. friends around him, he should say, as it could not have been anticipated that the cause which they supported would be so completely successful as it now was, not to press it to the very utmost extent; but, if it should so happen that this Bill should come down again from another place a little altered, and a little modified, but with its spirit and principle unimpaired, he trusted and hoped that men, who were not connected with the extremes of party feeling, would join hands for the sake of the cause in which both sides were engaged, and for the general welfare and advantage of the country. No man who had considered the state of the country at that moment, could doubt or deny the advantage and necessity of such concession. Let any man go to any of the great commercial towns—let him inquire there, or of any of the great merchants of this metropolis, "what is the present state of trade?" What answer would he receive? Would they tell him it was in a flourishing or improving condition? The truth was, they were watching, anxiously watching, the course of passing events; they sat, as it were, with a cloud over them, which the adjustment of this great question could alone dispel. Let the House, then, speed the settlement of it, and adopt the only real, the only safe, the only wise plan, of satisfying the reasonable wishes of the great body of the people—of giving into the hands of the middle classes a power which they would not abuse, and by binding that great party to the Legislature by the ties of gratitude and of interest? Let the

House pass this great and salutary measure, which was no less based on policy than on a consideration of the means essential to the preservation and security of the rights of the people and the institutions of the country; the passing of this measure would unite for ever the people of this country; and the dangers which now threatened us, would vanish as rapidly as they seemed to have accumulated; and, by so doing, that confidence which had been destroyed would be restored—capital released from its present enthralment—and complete satisfaction and general happiness be diffused on every side.

Mr. *Pemberton* said, that, having already experienced the indulgence of the House upon a former occasion, when in the course of the last Session he stated his objections to their measure, he should not presume again to enter into the general question of Reform. Some alterations had undoubtedly been made in the present Bill, neither few in number nor unimportant. They, however, related chiefly to matters of detail, and considered as intended to further the ends of the authors of the measure, he thought it fair to say, that they were nearly all improvements as far as they went. He, perhaps, might also say, that they had nearly all been suggested on his side of the House; but that rather increased than diminished the credit due to his Majesty's Ministers for having adopted them. So far was he from being disposed to taunt them with their conduct in this respect, that he lamented they had not followed further in the same course, and preferred the advice offered to them in that House to the counsel of false friends, and the dictation of Political Unions; that feeling, as they should have felt, how a great measure like this must lose half its benefits unless framed to meet the general feelings of society, they had upon this second occasion brought forward such a measure as might have breathed into a distracted country the healing spirit of conciliation and peace. If this course had been adopted after the rejection of the last Bill, very different would have been the result of that which they were discussing now. Instead of looking to a future, not to be contemplated without dismay, they might now have seen a united Parliament and a united people carrying the Bill to the foot of the Throne, and calling upon his Majesty for his assent, without trembling at the thought that they were calling upon their Sovereign to barter his legitimate authority for brief and worthless popularity, and that, in the very act by which a beneficent Monarch was exercising one of the most gracious powers of his Crown, he might be loosening that Crown upon his head, and letting the sceptre glide from his grasp. But as his Majesty's Ministers had decided to throw aside all such considerations as the safety of the Crown, or the peace and conciliation of the people, and had preferred securing their continuance in office to setting the Constitution and the peace of the country at hazard, the House was now once more called upon to pass a measure differing nothing in the violence of important changes it proposed to make from that Bill which they passed through this House last year. Without presuming to say, that no attempt had been made to amend the details which had been most open to objection, it was well known that Gentlemen on the other side had agreed to overpower all further objections by one general answer. They asked whether, if, under the existing circumstances of the country, and the present excited state of the popular feeling, they refused to pass this Bill, the consequence would not be, that a worse and more extensive measure would be forced upon them? Now, he would ask, in return, whether, in a question affecting the interests of unborn millions, they were justified as men and statesmen, in having regard to any other consideration than the true merits of the question? And were they sure that the popular feeling had set so strongly in that current, and that it would find no other vent when once proposed in that direction? Might it not prove, after all, that the people who indeed reviled the former temple in which their fathers worshipped were not yet prepared to bow down before the image which his Majesty's Ministers had erected in its place. In arguing this question, the friends of the Bill invariably assumed, that all who were anxious for a change in the representative system, were equally anxious for the success of this particular measure. But surely this was a most gratuitous assumption. Surely there might be some who, while they were dissatisfied with the existence of nomination boroughs, would not object to the erection of some less obnoxious barrier for the protection of the Throne against the swelling tide of democracy; there might be some who would not consider it a fatal defect in a new system, that it should afford some avenue to that House for the responsible Ministers of the Crown, or make ome sort of provision for representing the nterests of the colonies. There might be ome who, although they would give the elective franchise to great towns, yet would not consider it utterly unreasonable that a certain rate of property being a necessary qualification, where the rate of property varied the rate of qualification should vary also. There might be some who would give Members to all places which at present were suffering from the want of them, and who yet might honestly doubt whether he metropolitan districts fell precisely within that predicament. In short, supposing the people to be disgusted with the old system, did it necessarily follow, that they were equally enamoured with the new? He was not disposed to deny, that a arge majority of the lower classes had declared themselves in favour of the Bill, but how had the question been proposed to them? They had been told, and told truly, that the effect of this measure would greatly increase their political power. It was a principle of human nature to be fond of power, and, therefore, every man was anxious to obtain it, but whether it could safely be intrusted in such hands as were by this Bill to hold it, was a nice question with which those to whom it was tendered, were not likely to embarrass themselves. Ministers, instead of appealing to the intelligence of the country, had appealed to the passions of the people. What had been the language of Government? It was, that the Bill gave less to the people than they were entitled to—not that it gave them more. If, on the other hand, Government, making a good use of whatever popularity they possessed, inculcated different opinions, the result would not be the same. But, it was said, that the respectable classes were in favour of the measure. Of that he entertained strong doubts, and it certainly was rather difficult to ascertain correctly what were the opinions of any particular class; for in this country they were all so identified and interwoven with each other, that it would be difficult to find out the opinions of either separately. If, however, the clergy, professional men, officers, and country gentlemen were meant, he could not see upon what ground it could be said that they had decidedly declared themselves in favour of Reform. In proof of the assertion it was, however, said, that the counties generally had returned Reformers. Now, he begged leave to refer to a statement of the present Lord Chancellor, who said, with regard to the Representation of York, that he had never found it necessary to canvass that county, but that he was returned altogether by the towns. He would also refer to other counties—Worcestershire, Northamptonshire, Dorsetshire—and he could name several, in which the opponents of Reform, if not successful, had shown how numerous they were. Let them, also, look at the counties in which there had been no struggle, but from whence since the election several addresses and petitions had been sent up to Parliament, the names attached to which, would challenge a comparison in wealth and character with any of those in favour of Reform. There were also the Members for the two Universities returned by those classes. He maintained that they were returned by those classes; and though he should not then enter into a comparison between the voters for the University and the 10*l.* householders of Wapping and Saffron Hill, he was at least entitled to use the return as a test of the opinions of professional men and country gentlemen. Let them look, not to Oxford, but to Cambridge, which had always been attached to liberal principles, and see what was the result of the election there. In that instance, two Government candidates went down—one standing upon high family connections, another supported by Treasury influence—one a Minister of the Crown, the other a relation to the first families in the county; both distinguished by the honours they had obtained at the University, and both carrying with them this fatal Bill, and what was the result? One thing, he thought, was manifest from these and other similar circumstances, namely, that Government were not borne forward by any overwhelming influence which ought to induce them to sacrifice their own opinions, and the institutions of the country to the fear of disturbance. He did not speak in the spirit of party when he declared that no worse measure could have been proposed. They might have gone further in disfranchisement, and even if they extended the elective franchise still more, and probably with less danger, for he was not sure that a greater extension of the franchise must necessarily be a greater evil, for it might be so arranged and so accompanied with checks as to prevent imminent danger; but it would, at all events, have this one advantage, inasmuch as it would give more satisfaction to the people, and there would be a probability of such a measure being final and permanent—at least it would have the merit that in this case there was a chance of its being permanent, whilst the supporters of the Bill considered it only as the commencement, not the end, of Reform. Whatever might be said in the heat of debate, it was a great mistake to imagine that all who were enemies of this were therefore, enemies of popular rights or anxious to exalt the Throne and the aristocracy at the expense of the people. There was among the opponents of this Bill a very large class of persons—and he was one of them—who wholly unconnected with the Peerage, satisfied with the mediocrity of their own station, and content with their own obscurity, desire nothing from any Government, but that security for person and property which all men had a right to expect from it. They might be, and he trusted they were actuated by sentiments of loyalty to their Sovereign, or by feelings of hereditary attachment to those historic names, whose glories illumined every page of our annals; but it was not from mere motives of regard to the Throne or the aristocracy that they were opposed to a measure which they believed to be ruinous to both; it was because they were convinced that the maintenance of both, in the circumstances of this country, was essential to the maintenance of law and of order, and to the preservation of those sacred rights of person and property which law and order were established to protect. To popular rights, as popular rights, they had no objection, nor to their extension; it was, in truth, an extension of their own rights. It was because they thought the extension of those rights, in the mode proposed by this Bill, incompatible with higher objects, that they objected to it, because it worked entirely in one direction. What was taken away destroyed the value, and endangered the security of what was left. It was proposed to leave the superstructure, and to cut away the foundation. In adjusting the balance of the Constitution, all the weight taken away was from one scale, and all that was added was thrown into the other. There was another point of view, in which it appeared to him that this Bill was peculiarly ill-suited to the existing circumstances of the country. The great want of the country at present was domestic quiet—rest from political agitation, from political dissension—almost from political discussion. Hon. Gentlemen would of course, differ with respect to the quarter to which blame was to be attributed, but, he believed all would agree with him, that the pendency of this Bill hung like a blight over the land. It had been alluded to by the hon. Member who spoke last, and by many other Gentlemen in the course of the debate: the fact admitted of no doubt. Men's minds were distracted and withdrawn from their ordinary pursuits and occupations—commercial enterprise was paralyzed—internal trade stagnated—mutual confidence destroyed—the very intercourse of friends and families embittered by political dissensions—the whole country sickened as under a moral pestilence. For all this mass of evil there was but one remedy, and that was, a cessation—a long cessation—from political excitement. Supposing for a moment that this Bill would be permanent; that it would give at least, a temporary satisfaction to those who now so clamorously demanded it, what prospect of tranquillity, even in that case, did this measure hold out to the country. Why, it offered not the chance, not the probability, but the inevitable certainty, in each succeeding year, of a renewal of all the disputes in the annual registration of votes. In each succeeding year would the registering Barrister go his round, scattering dissension as he went along; the seed-time of discord would come round as regularly as the seed-time of husbandry, and would, he feared, produce a much more certain and more abundant harvest. We should have the worst curse of the American system, without its advantages. This was our prospect, even if this measure should be permanent. But could any man look to this Bill and really expect it to be permanent? Was any man credulous enough to hope that it could give even a temporary satisfaction to those whow ere now so anxious for it? Let the House compare its principles with its results—compare their own reasoning with the consequences practically deduced from it. They told the people that their principle was to destroy nomination boroughs, and to transfer the elective franchise from inconsiderable places to great towns. How was their principle put in practice? They left untouched boroughs which they said ought to be disfranchised, and left without representation, numerous places which, it was said, ought to possess it. They told the people, that it was their undoubted right to elect their own Representatives, that the election of those Representatives by a few individuals, was a gross abuse, and a scandalous usurpation; and, then, as a practical illustration of these doctrines, they excluded from all right of voting whatever, nine-tenths of the very individuals to whom this language was addressed. It was proposed to give a full and fair representation of all interests of the community, and to give it in the shape of actual instead of virtual representation, and then a great portion of the domestic interests of the country, were left without any representation, actual, or virtual, and all the colonies and foreign possessions of the Crown. They excluded from the right of voting a vast proportion of the population, on the ground that a certain rate of property was a necessary qualification for the elective franchise, and that in the metropolitan districts and great towns—in the very places where the numbers were greatest, and the dangers arising from those numbers was most formidable. A share was given in the representation to classes infinitely lower than those who were excluded in other places, where they might safely be admitted. Could such a system be permanent? At this very moment numbers avowed that they considered it only as a step; still greater numbers were with difficulty restrained, by the caution of their leaders, from making a similar avowal. Numbers were secretly applying to the noble author of this Bill, and his friends, that language of Cromwell which he applied, as many thought so successfully to them. It was but an ill omen that the noble Lord should borrow words from such a quarter on such an occasion. It would come with more propriety from the lips of those of whom he was now speaking—men who were prepared to borrow from Cromwell much more than his words, and to use like him a weapon, which he employed much more successfully than his tongue. When further demands were made, as most assuredly there would be, could they be refused by those who supported this Bill; or, upon what principle could the arguments now urged in favour of Reform be applied to the resistance of further demands. The noble Lord opposite had himself admitted, when called upon to increase one of the schedules, that he could not refuse it upon his own principles, but, that he was afraid of going too far. If, however, Ministers should happen to succeed, which, at all events, he hoped they would, not by means of intimidation or unconstitutional measures—they would never be able to resist encroachments; they could not upon their own principles, resist further changes. All history and experience showed that the overthrow of settled institutions led first to a tyranny of the mob, which was invariably succeeded by the tyranny of the sword. He regretted that he had no alternative left him but either to support the Bill as a whole, or reject it altogether; but placed in such a situation, he could not hesitate, and must oppose a measure which he thought was fraught with ruin to the country; and he hoped that all who were conscientiously opposed to the Bill would fearlessly do their duty and resist it. They had not yet decreed the downfal of the finest edifice which had been constructed by human hands or conceived by human minds, and he entreated the House to preserve for their successors that noble inheritance which they themselves had derived from their ancestors. Come what may, he was sure the opponents of this Bill would not swerve from the path of honour which, as usual, was on this occasion the path of safety. There were honours which neither time nor accident could efface; which, neither the caprice of kings nor the revolt of nations could destroy; and the future historian of the county, in paying the merited tribute to the illustrious characters who had, as it were, with their swords, dug the foundation of the British Constitution, would not forget those who stood by it when assailed, nor would the tribute be less honourable though they persisted in the attempt.

Mr. *Macaulay* said, it was unnecessary for him to declare that he fully concurred in the feeling which the House had expressed at the speech of the hon. and learned Gentleman who had just sat down, and if that hon. and learned Gentleman thought it necessary to apologize to the House, on account of having once before delivered a speech which, like that just concluded, met with the most enthusiastic reception, how much more necessary was it for him to offer some apology for again trespassing on the time of the House. He could not, however, suffer this occasion—the third reading of the Reform Bill—to pass over without coming forward once more to vindicate the principles he professed. The noble Lord who opened the debate, in a speech distinguished, like everything which fell from him, by the greatest ingenuity and ability, told the House that the first great evil of this Bill was, that it pronounced an absolute condemnation upon our ancestors; and he asked whether we were prepared utterly to condemn all which they had done. He certainly was not prepared to take any such course; but, at the same time, he must say, that the men of the present day were better enabled to decide political questions than their ancestors. Government was not a matter of *à priori* reasoning, and must always be determined by experiment, and it was the essence of every experimental science that it should be progressive. Moreover, it was essential that every experiment concerning Government should be founded on the special and peculiar circumstances which called for it. Arguments, therefore, that were unanswerable a thousand years ago, would be very defective if applied to the present day; and he would venture to say, that there was no Gentleman in this House who would not be ashamed to be guided by the wisdom of our ancestors, if he were about to make an experiment on any other subject than that of Government. Take chemistry, botany, surgery, or any science, for example, in which ingenuity and invention were necessary, and there was no man in that House who would reject improvements in those sciences because they did not comport with the wisdom of our forefathers, or who would say that the present age, instead of being vastly superior to those times, was, in fact, very inferior. And why was that? Because these sciences depended on observation and experiment. Every age had greater opportunity for experiment than that which preceded it; and every age must, therefore, be considered as wiser than its predecessor. Like the other sciences he had mentioned, the science of Government was essentially an experimental science—that is, that its conclusions were so wholly the creatures of experience, and its application so dependent upon ever-changing circumstances, that nought could be predicated of them of universal applicability. Political doctrines were not like the axioms and definitions of the geometer—of intrinsic truth, wholly uninfluenced by time and place; their worth and force depended on experience, and were necessarily as changing as the circumstances on which all experience was founded. This truth had been happily expressed by Lord Plunkett, with that noble person's characteristic force and stern precision of language. It was observed by him, that history not read in a philosophical manner was merely on old almanack. Another extraordinary doctrine had been advanced with respect to the payment of debts by nations, and their manner of discharging the duties which devolve upon them. But he appealed to experience—was it not a fact, that, among all the democratic revolutions which had been witnessed, payment of no national debt had been refused on the ground assigned in this argument. There had been instances, both in monarchies, and democracies, of the payment of debts being refused on account of the difficulty or impossibility of paying them; but no such course had been pursued as that which was stated by the noble Lord. Look to France—look to the different changes which had taken place in the representative system of that county—look to the changes of 1815, of 1817, of 1821, and of 1831, which were all constituted on entirely different principles, and yet, at this moment, the national credit was preserved. The only instance that he knew of a government refusing to discharge a debt on the ground that it was contracted by an illegitimate authority, was not the case of a democracy, but of a monarchy, where the government refused to pay a debt contracted under that very constitution which the king had sworn to maintain. The noble Lord also said, that the classes of men who ought not to be admitted into this House would be admitted by the Bill, and that those whom it would be desirable to admit would never be returned under this measure. He would again only refer to experience, and ask, whether that was the case in large towns which now possess the franchise? The noble Lord said, that the eldest sons of Peers would find great difficulty in obtaining seats in that House. Let him look over the list of the sons of Peers returned for counties at the present time. Let the noble Lord look to Bedfordshire, Buckingamshire, Dorsetshire, Northamptonshire, Northumberland, Lincolnshire, Westmorland, Devonshire, Oxfordshire, and Cheshire; and he would find that there were at present but few sons of Peers returned as the Representatives of the people. The noble Lord was decidedly inaccurate in one of his statements; the noble Lord said, that, in the county of Northumberland this prejudice existed to a very great extent, and to that cause he attributed the circumstance of his noble friend, the under Secretary for the Colonies, being unsuccessful in the election of 1826. The noble Lord forgot that it was the eldest son of a Peer who contested the election with him, and was returned in opposition to him. The noble Lord had not proved his statement, which appeared to proceed entirely upon assumption. There was, however, another class of men, who, according to the noble Lord would be excluded by the operation of this Bill—those Members who had been returned by the oligarchy of this House. The noble Lord thought it a hard case that they should be excluded, but the reason for their exclusion was a proper one, for they were not sent there by the people. The noble Lord also stated, that we had long enjoyed the blessings and protection of good Government, repeating that the system had practically worked well, and that the nation was, in fact, in a state of the greatest happiness and prosperity. Indeed, the hon. member for Oxford said, that we had attained such a state of prosperity, that we ought not to hazard it by making an experiment. If this argument proceeded on facts, he would admit that it was unanswerable. The happiness of nations might be influenced by causes unconnected with their political institutions; but, on the whole, there could be no doubt that the happiness of a people was the best test of the form of Government under which they lived. If it were proved that the House was about to destroy that constitution under which the people of England had long enjoyed so great a measure of happiness as that which the hon. Gentleman described, it would be acting the part of madmen. But he denied that the condition of the people of England was one of unmixed prosperity; and he denied that the Bill was a measure of unmixed destruction. When he heard it said, over and over again, that the English were the happiest people under the sun—when he heard this laid down as an undeniable proposition, which it would be unnecessary to prove, and absurd to deny—he could not but feel astonished at such an argument. From the first acquaintance he had had with political affairs, he had heard, from all sides and from all parties, statements of the distressed situation of the people. Speech after speech from the Throne, parliamentary address after parliamentary address, had admitted the existence of great distress, expressing a vain hope that it would be but temporary. He scarcely remembered the time in which some great interest had not been complaining. It was certain that the people of this country were by no means in a prosperous condition. The hon. Baronet, the member for Okehampton, himself, has distinctly told us, that all the cry for Reform originated in the severe distress of the people, and the indifference of the House to their complaints. The hon. member for Aldborough, too, frequently, in glowing and energetic terms, set forth the miserable state of our commercial and manufacturing classes,. and distinctly attributed their distress to the legislative measures pursued by successive Parliaments. When the question of the currency, the renewal of the corn-laws, or the state of trade came before the House, then the country was described in a condition of the deepest distress, plunged into a state of absolute misery, a cloud was over us, our present condition was bad, but our future prospects were alarming. When the Reform Bill was under discussion, all our miseries vanished at once, the sun broke out, the clouds cleared away, the sky was bright, and we were the happiest people on the face of the earth! If hon. Gentlemen wanted a large issue of small notes, our condition was again gloomy, but when the case of Gatton or Old Sarum was noticed, then we laboured under no other imperfections than the unfaithfulness of our own hearts. Was it fair for hon. Gentlemen to describe the country as in a state of the greatest misery, when they complained of the political economists, and to speak of our people as the happiest under Heaven when they wished to attack the Reformers. For different opponents they had different weapons. The Reformers of our commercial code, they slew with the national distress, and with the national prosperity they sought to annihilate the Reformers of the Constitution. The real situation of the country was midway between their extremes. There was much truth in both descriptions, but, at the same time, there was much fiction. He would, however, give his opponents their choice. If they ascribed to the institutions of the country the national greatness, let them also ascribe to those institutions all the evils the nation endured. If it was the Constitution which had improved the public credit, which had extended our trade—if it was the Constitution which had converted the barbarous hordes who once infested the Scottish borders into the finest peasantry in the world—if the Constitution had improved our machinery—if we owed to the Constitution the important factories of Manchester, and the gigantic docks of Liverpool—we were bound, by strict reason and justice, to ascribe to the Constitution, on the other hand, the heavy burthen of taxation under which the people labour, and against which they had to struggle, the frequent stagnation of trade, commerce, and manufactures, and the dreadful and deplorable situation of those parts of the country in which the rate of wages was scarcely sufficient for the support of animal life, in which the labourer, starved and wretched as he is, considers the parochial rates as a fund, not for his occasional relief, but for his daily maintenance; in which men may be met harnessed to cars like beasts of burthen, and in which the far-spreading light of midnight fires, and the outrages of incendiaries have but too often indicated wretchedness and despair, starvation and daring recklessness. Hon. Gentlemen opposite generally contented themselves with pursuing the very convenient course of contemplating only one side of the picture; they dwelt very fully on all the outward signs of our national prosperity, and they concluded, therefore, that the existing system must work most beneficially. There were also violent Reformers who had adopted a course directly the reverse, and who could see nothing in the present state of the country, but causes for apprehension and dismay. He could not agree in either of those extreme opinions. He saw great cause for rejoicing, but also great cause for apprehension and dread. We had vast resources, but we had to bear great burthens. We had magnificent institutions, but they were surrounded by the most appalling misery, and heart-breaking famine and wretchedness. If he was to adopt the lesson of hon. Gentlemen opposite—if he was to judge of the system by its practical working—if he was to look at the condition of society, and pronounce upon the merits of our Constitution, he should be irresistibly lead to this conclusion, as he saw great good alloyed by great evil, so in the Constitution there must be sound and just principles defaced by great corruptions. It was not difficult to ascertain which parts of the Constitution were the source of prosperity; nor would it be difficult to get rid of those corruptions to which we must attribute our distresses. The protection which the laws give to the liberty and property of the subject is a great advantage undoubtedly, and the mere existence of a House of Commons in which, however defective its Constitution, there has always been some Members chosen by the people, and zealous for their service, in which the smallest minority has some weight, and grievances, if not redressed, can at least be exposed, is, undoubtedly, some security for every other advantage. To these circumstances we owe our prosperity—and it was proposed, by the measure then under discussion, to give additional protection to the subject, and make the House of Commons more useful to the people. The distress which the country had suffered, and of which it had so bitterly complained, he must attribute to an unthrifty squandering of the public money—to the injudicious measures of Government—to the negligence of that House—to defects in the Representative system, which had made the House more the council of the Government than the defender of the people—to laws deservedly unpopular, more easily adopted than they could have been under the eye of a reformed Parliament—to laws made for the benefit of particular classes at the expense of the people generally—in short, he attributed the distress to Ministers who had not yet been controlled by Parliament, and to Parliament who had not before its eyes the fear of the people. The noble Lord who moved the Amendment, had argued that in no instance had that House been reluctant to "back" Ministers in measures of public economy. What! the House of Commons merely backing Government who might be disposed to cut down useless expenditure of the public money—the House of Commons whose duty it was to force every Government to effect every reduction of the public expenditure compatible with the public service. Was that a description or justification of the House of Commons? The Commons ought to go before the Government in measures of economy, and force it to be wise. A reformed House of Commons would do it. But the utmost praise bestowed on it by the noble Lord—the negative praise of not being a greater spendthrift than the Government—was upon the House of Commons the bitterest satire. Those who supported the Bill were charged with loving democracy; for his part he had no idea that any species of Government was universally applicable. There was no universal form which could be assured of good Government. He would not make institutions for all ages and all nations. He gave his assent to the Bill because he thought it was adapted to this country at present, but he should think it unsuitable, because too democratic, for Hindostan, and because not democratic enough for New York. He had no more idea that a Government could be called good, which was not in unison with the feelings, habits, and opinions of the people governed, than that a coat could be called good which was not suited to the size or shape of the person for whom it was intended. A coat that does not fit is a bad coat, though it has been cut to suit the Apollo Belvidere. He did not support the present Bill because he thought that democratic institutions were best for all ages and for all countries, but because he thought that a more democratic constitution than that which now existed in this country, and in our age, would produce good Government; and because he believed that, under the present system of Representation, we should soon have no Government at all. He had never declared war with anomalies—he had never, to quote the words of the noble Lord opposite, confounded anomalies with abuses—he had never lifted up his hand against any anomaly, unless he saw in it a cause of misgovernment. He did not, therefore, support the Bill because it removed anomalies, but because it eradicated real abuses, and averted dangers, not imaginary or remote, but palpable and near. That, he conceived, would be the practical result of the Reform Bill. Some men sacrificed practical law to general doctrines; they spoke with rapture of the beautiful machinery of the Constitution, but would not look to its practical working, nor take into consideration existing circumstances. The Representative system, as it at present existed, was said to be good. Be it so; but it was good in vain, unless it suited the state of society for which it was intended. No Members of this House had advocated such arguments more strongly than the present opponents of this measure, when the propriety of giving liberal institutions to other countries had been under discussion. Whenever an attempt had been made to introduce into other countries our best institutions—whenever it had been proposed to give Spain or Naples the freedom of the Press, or the security of the Habeas Corpus Act, how often had it been said, that it was folly to legislate for those countries as if they were England—that what we considered tyrannical the Spaniards and the Neapolitans cherished as a privilege. How often had it been said, that it was absurd to force upon a people institutions which, however good in themselves, that people despise! Was this argument to be used only on one side, and to be invalid when applied to the other. When Spain or Naples was a question, hon. Gentlemen opposite reminded the House that governments should be accommodated to the wishes of the people—that popular institutions could not be useful nor stable, unless they harmonized with public feeling and public opinion. But if this argument be good when applied to one description of institions, was it not equally good when applied

himself to be a Reformer. It was an argu-

greater blessing than the Habeas Corpus Act, or the trial by jury? No man would deny that it would have been absurd to apply these institutions to nations which did not value them. Would Gentlemen, however, say, that the existence of Old Sarum and Gatton was consistent with the feelings and wishes of the people? That was the true answer to those arguments which had been urged on former occasions, and which had been so eloquently advanced to-night by the noble Lord who opened this debate on the subject of prescription. Prescription was certainly advantageous to a Government, because it was very probable that a Government founded on prescription would possess a greater share of public respect than one which was born yesterday; but if a Government did not possess the public respect, it was in no way the better for prescription. A man would rather have the measles than the cholera (to make use of a homely illustration), because he would be less likely to die of the one than of the other; but if he must die of the measles, why he might as well have the cholera. If a government did not possess the public respect, it might as well be a Representative system of yesterday as of centuries back. In fact, there never was a great change which took away so little of what was really valuable as this did—which took away so little of what we love and respect, or which took away so little of what was connected with our feelings and entwined around our affections. The Reformation and the Revolution of 1688, and the first revolution in France, shocked the prejudices of great masses of people. Glorious as they were, and calculated to promote the public good, they were certainly effected at the expense of long-cherished feelings, deep-rooted affections, and close-entwined associations; but what was there of all that in the present Bill? Did it propose to touch any one thing which the people esteemed, respected, or revered. Did it take from the Constitution anything but those which Mr. Burke called its shameful parts? Did it endanger the Government of the country? It was high time that some such measure as this should be introduced to preserve it, that the unpopular and worst parts of the Constitution should be separated from the good, or they would all perish together. But, however forcible the claims of prescription might be, the argument could not be justly used by the noble Lord, who had distinctly declared himself to be a Reformer. It was an argument which no Gentleman had a right to advance, who was disposed to agree to even the most moderate Reform, because the smallest possible change equally destroyed the claim of prescription as the most extensive and important alteration. Prescription might, like honour, be compared to Prince Rupert's drops, "one part cracked the whole does fly." He appealed to the hon. Gentlemen opposite, whether they had not, in the debate on the question respecting the propriety of giving Members to Manchester, Leeds, and Sheffield, asserted, that if they once began to change, there would be no end to it. But they had now departed from their own principle; they admitted the necessity of some change, and all arguments on the score of prescription must be at an end. The arguments urged against this Bill would apply with equal force against any plan of Reform whatever. A large majority of the Opposition called themselves Moderate Reformers: but the objections which they offered to the present Bill could be applied to any measure of practical reform. They talked of anomalies: could any plan of reform be devised in which anomalies would not exist? All reform must consist of disfranchisement and enfranchisement. To effect these objects lines must be drawn somewhere, and distinctions made, which would inevitably create anomalies, unless some uniform system were established, and at variance with, and sweeping away, the whole of our present institutions. They might take population, or assessed taxes, or whatever test they pleased, but there would always, as they had already seen, be mathematicians ready to prove that their mode of computation would produce anomalies. The most symmetrical system of Representation was that of the United States—yet, even in that, it would be easy to point out anomalies. It, therefore, became moderate Reformers, who objected to the Bill on the ground of anomalies, to consider whether any plan of moderate Reform could be produced in which there would not be anomalies. Those who supported any plan of Reform must admit one of two things; either that the present system did not work well—or that, working well, it ought to be changed, in deference to what must be considered unreasonable clamour, to which they were prepared to bend. Any plan would also be open to the objection of not being final; and none more so than a very niggardly one. Of every plan of Reform, it might be said, that it was the first step to revolution. It would always afford an opportunity of making allusions to the scenes of the French revolution; to the guillotine—to heads carried upon pikes, and all the horrors of that eventful period. All these topics, however, it would be recollected, were brought into requisition when the only question before the House was, whether Manchester, Leeds, and Birmingham should have Representatives. Most of the hon. Members opposite called themselves Reformers; and he was entitled to demand their plan of Reform, in order that the House and country might see whether the objections which they had raised be applicable to the Ministerial plan alone, or be objections to which any plan of Reform must be liable, and such, therefore, as no person who called himself a Reformer was entitled to employ. That something must be done was admitted on all hands; while the Ministerial Bill was the only plan of Reform which had been proposed. The hon. Member who had just sat down said that, at the last election, people were compelled to vote in favour of candidates who supported the Reform Bill, because there was no other plan left before the country. They had no choice—it was this plan or none. He had a right, under these circumstances, to call on the leaders of the hon. Members opposite to let the country know what their plan was; and he was entitled, in particular, to make this appeal to the right hon. member for Tamworth. The right hon. Baronet stood at the head of a great party; he had filled a high situation in the state, and might possibly fill a still higher, and these were circumstances which not only gave him (Mr. Macaulay) a right, but made it his duty, to make observations freely, but respectfully, on the public conduct of the right hon. Baronet. After thirteen months of discussion on the question of Reform, all that the House knew of the opinion of one of its most distinguished Members was, that he was opposed to the Ministerial plan of Reform. He had, indeed, declared, that, though he would not himself have brought forward, yet he would have assented to, a measure of moderate Reform. What the plan of Reform was to which the right hon. Baronet would have assented—on what grounds he would have given his support to a measure which he thought unnecessary—and what were the reasons which made him to hesitate to bring forward such a plan himself, he had not yet explained to the House. The question of Reform might be a question which divided men's opinions, but with respect to the importance of the question all were agreed; and he could not understand, on looking to the high character and station of the right hon. Gentleman, how he could shrink from the responsibility of proposing such a measure as, in his opinion, would satisfy the country, and be less injurious in its effects than the Ministerial proposition. Yet all that the right hon. Gentleman had as yet said was, that he disliked the plan proposed by Government, and that there was a something which would have met with his assent, but that Ministers had not hit upon that something. But let the right hon. Baronet observe the state of the public mind, the excitement which prevailed on the subject, and the delight with which the Ministerial plan of Reform had been received by the people; and then let him ask himself whether he was prepared to bear the responsibility of the consequences which would follow its rejection. But the right hon. Baronet would doubtless say, "that is no affair of mine: the excitement is your own." [*Cheers.*] He supposed, from that cheer, that the answer was considered satisfactory by the hon. Gentlemen opposite. The next generation would judge them. When the dearest interests of the empire were at stake, the world would hold them responsible, not only for the evil which they had done, but for the good which they had omitted to do. History would not hold such men guiltless if they did not take enlarged views of the state of society; if they did not rise to great occasions; and if, when the public good required them to speak out, for fear of compromising themselves, they held their tongues, or spoke in such a way as not to be understood. If any persons were to be held responsible for the public excitement, the late Ministers had more to answer for than the present. But the great question was, not "what person is to blame," but "what is now to be done?" That was the question before the House and the country; and that was the question which he thought he had a right to ask the right hon. Baronet opposite. The right hon. Baronet possessed pre-eminent talent for debate; but the country had a right to expect from him something of a higher character. The country had a right to call on him for his opinion of the principles upon which Reform ought to be founded, and of the extent to which concession should be made to the public wish at such a crisis as the present. He asked the right hon. Baronet whether he should wish it to go down to posterity that he, in the most eventful period of British history, when the dearest interests of the empire were at stake—that he, being one of the most distinguished members of the House of Commons, brought some sound, and many specious objections against everything proposed by others—hinted in general terms that something might be done, but never could be induced to explain what that something was? Did the right hon. Baronet suppose that he could ever again conduct the affairs of the Government on Anti-reform principles? It would be madness for any Government, pledged to no Reform, to attempt to go on with the present House of Commons. They must dissolve the Parliament, and appeal to the people in a moment of fearful excitement; and they would then find that they had committed the same error which Charles committed when he dissolved the Short Parliament, and exchanged it for the Long Parliament. But supposing that such a Government gained more by the elections than could possibly be expected, and supposing that they should obtain a majority in the House of Commons, still, he asked, what would be the case out of doors? The agitation which prevailed in the year 1817 and in 1819, at the time of Queen Caroline's return to England, and during the latter period of the Duke of Wellington's administration, would seem peace and tranquillity in comparison with the disorder and excitement which would immediately spread throughout the country. Tumults, seditions, agitators without end, would arise. Agitators they had at present; but were they disposed to try what would be their power under a Government hostile to Reform? It was impossible to keep them down by a strong hand, and, if they would not have liberty, they must have licentiousness. Measures of coercion and severity would be of no avail. Charles tried them against Hampden, and failed: James employed them against the Bishops, and failed. It was the same with Mr. Pitt, when he prosecuted Hardy and Horne Tooke; and the same with Lord Castlereagh, when he passed the Six Acts in 1819; and the same would be found by any Government which attempted to smother the complaints of the people of England without redressing their grievances. There was only this simple alternative—Reform, or anarchy. About the result he had no fear, for he placed the fullest reliance in his Majesty's Ministers. If he required any other pledges from them than those which he found in their character, he found them in their position. To abandon their country would be to abandon themselves. They had done that which changed the character of our institutions. They had taken no slight step—no step that could be easily retraced, on the 1st of March, 1831. Before them was glory—behind them was disgrace. For himself, he believed that their virtues, abilities, and firmness would be found equal to the momentous occasion, and that their names would to the latest period be inseparably associated with the noblest measure that ever restored to health a corrupt Government, and bound together the hearts of a divided people.

Mr. *Croker:* I must confess, that amidst the many arguments of the hon. and learned Member who has just addressed the House, with so much ability, there was one which struck me as very extraordinary. The hon. and learned Member drew an alarming, and perhaps, a too faithful picture of the state of the country. He spoke with not unnatural alarm of seditions, associations, and conspiracies; but, above all, he dwelt upon the agitation and anxiety which prevail in every branch of society, which, as it were, have mildewed and blighted our whole social system; and, having exhausted his eloquence on the complicated difficulties of our situation, he turns round to accuse hon. Members on this side of the House, and in particular, and by name, my right hon. friend (Sir Robert Peel) near me, with not having taken this most unfavourable and dangerous opportunity to cast new ingredients into the cauldron of dissatisfaction, by proposing some idle and useless project of Reform, some scheme of our own, theoretic and gratuitous, which, in the present state of parties and of public business, could never even come into discussion, nor serve any other purpose than to worse-confound a confusion already, one should have thought, sufficiently confounded, and this the learned Gentleman would have had us do—not that any practical public advantage could possibly be derived from it, but in the hope that he might possibly derive from such a proceeding on our parts, some argument which he does not at present possess, and of which he feels himself desperately in want.

He accuses my right hon. friend of having been backward in expressing his opinions on this great question. I certainly have witnessed no such backwardness; but if he has latterly declined making any general propositions on the principle of the Bill, I, in return, would ask, whether he has received any encouragement to volunteer his advice and assistance? The House will recollect that, in the last Parliament a most extravagant proposition was made for diminishing the number of the Members of this House, a kind of Reform as unnecessary and as little looked for as could be imagined. My right hon. friend, and we who are happy to follow him, felt ourselves bound on that occasion to register his and our opinion, that this species of Reform was alike wanton, unjust, and dangerous; and we urged in the strongest manner, as the first principle of any satisfactory Reform, that the number of Members should not be diminished. Was my right hon. friend backward in advocating that fundamental and important principle?—a principle which, though narrow at first view, involved consequences of the greatest magnitude, such as the maintaining, in any Reform that should be attempted, the ancient proportions of the Representation of the different parts of the empire. Well, what was the result? That wise and salutary principle met with the assent of the House. And how did Ministers receive it? They dissolved Parliament, and by this violent and arbitrary conduct gave us no great encouragement to afford them any further insight into the views on which we might think Parliamentary Reform might be most safely conducted. In the same spirit every proposition which has been brought forward on this side of the House, in the present Parliament, some of them fundamental ones, such as the 10*l.* qualification—the uniformity of the franchise—the metropolitan boroughs—the giving borough-freeholders county votes; all these provisions of the Bill, each of them involving general principles of the greatest general importance, which have been urged with peculiar earnestness and strength of argument by my right hon. friend, have been superciliously rejected and borne down by unflinching and overwhelming majorities. Does the hon. and learned Member think that, under these circumstances, it would have been consistent with common sense, or ordinary prudence, or a due regard to the interests of society, that my right hon. friend should have come forward with the counter proposition of some general theory, which we should then have been told by the hon. and learned Gentleman, could have no other possible object or effect than that of creating delay, embarrassing the question, prolonging agitation, and endangering the public peace.

I agree with the hon. and learned Member, that politics are an experimental science which can only be learned by carefully watching the operations of political societies, and deducing from the observed facts their proper conclusions, in the same way in which we draw scientific rules from the observation of natural objects. The learned Gentleman and I do not disagree about this general principle; we only disagree in our mode of applying it. I, and those who act with me, do, in truth, argue from that induction and that analogy which the learned Gentleman recommends in theory, but is himself the first to reject in practice. When we look to the history of past ages, when we see what is passing around us, we draw from all these circumstances a conclusion which is as evident to our understandings as any deductions in natural philosophy, namely, that the course which you are pursuing will lead to revolution. The hon. and learned Member has told us—and this is a proof of the manner in which he looks at historical facts, and of the experimental spirit with which he pursues his inquiries — that democratic revolutions have never shaken public credit, nor prevented the due payment of the public debt—that in France, for instance, there has been no breach of faith with the public creditor since the commencement of the revolution.

Mr. *Macaulay:* I said, since the Directory.

Mr. *Croker:* I heard no such limitation; but what a convenient system of philosophy it is, which permits the hon. Member to look, not at all the facts which history presents, but at those only which happen to suit his own opinions. In vain does the political prism exhibit seven distinct rays of colour, he rejects as many of the rays as he pleases. No, he says, it has but three, and then, arguing from his selected and mutilated facts, he produces his fabricated conclusions, and fancies himself a political Newton. Why, Sir, every body knows, though the learned Gentleman chooses to forget, that the Directory was the third or fourth stage of the Revolution; it was indeed the first moment of pause and breathing-time, and thenceforward, no doubt, weary of anarchy, impoverished by confiscations, and satiate of blood, France was desirous of returning to something like the fixed habits of society; but what had happened before that date from which the learned Gentleman now informs us he chose to start? Why, *that*, Sir, which is the very point in debate at this moment, and the very question in issue between us—the ruin of the public creditor and the dissolution of all public engagements. I have no doubt that, if this Bill should pass, we, too, shall come to a Directory here; and that, when we have arrived at that stage, we perhaps may have no more public robbery; but in passing through the anarchy that is to lead us, as it did France, to that state of comparative quiet, all analogy, all reason, all the rules of philosophizing which the learned Gentleman advises us to employ, prove, that there will have been an utter dissolution of public credit and a predatory confiscation of public property.

But need we go back to the history of France to shew what will be the consequence of passing this Bill? We have it under the hands and seals of an hundred Political Unions, and a thousand resolving meetings—we have it under the solemn sanction of all the reforming revolutionists themselves, that the first thing which will be attempted in a Reformed Parliament is the re-adjustment of the National Debt—that the object nearest to their hearts is to get rid of what they conceived to be the atrocious injustice which has been heaped upon them, the tax-payers, as they choose exclusively to style themselves, by the long-continued, and oppressive, and usurped power of taxation assumed by this House. Why, even the learned Member himself, in the course of his speech, adduced as his own chosen ground for Reform, as the first and foremost grievances of which the Reformers complain, the public debt and the weight of taxation. Now, if these be the first grievances, what are to be the first remedies? If the Bill be good for any thing, it must go at once to cure the most urgent disease. Is it concealed, can it be denied, that the great body of the supporters of this Bill out of doors consider as its chief value, and as is likely to be its first effect, that a sponge is to be applied to the national debt, and that they are to be no longer taxed to pay impositions laid on them by the corruption and profligacy of former Parliaments.

Amidst the beauties of the hon. and learned Member's oratory, which I am sure must be so much felt by every other person that it would appear a sort of vanity in me to say how much I appreciate them, he is in nothing more happy than in the allegories and metaphors with which he occasionally favours the House. For instance, the hon. and learned Member, after having stated that the Bill will be a remedy for great abuses, turns round, and by a happy illustration, with the greatest candour and the most extraordinary ingenuity, converts the remedy into a disease. The hon. and learned Gentleman likened the fever under which he thinks the country is labouring, from what he calls the corruption of rotten boroughs, to a well-known and not very formidable disease, the measles; and then, with singular candour, he declared that he could find nothing with which he could compare the Bill—which is to cure the measles recollect—but the *cholera morbus*, What a happy illustration! our present system he compares to that slight and general disease, incident to our very nature, the effect of which is, to purify the system, and to preserve from more serious evils in after life, while the counter disease which he strongly proposes as a remedy, is a fierce and frightful plague, beyond all other diseases excruciating in its progress and fatal in its results. I do not wonder that this idea occurred to the hon. and learned Member, for the simile is obvious and just, but I do wonder that, having occurred to him, he did not follow out his metaphor, and pursue the very singular analogy which it offers. If he had done so, the House would have found, that the circumstances attending the origin and progress of the Bill and the origin and progress of the cholera were quite parallel. Where did the cholera first appear? Why, in that very nook of the county of Durham in which we reproach the Reform Bill with having exerted its greatest influence. Its first appearance was, by extraordinary coincidence, in the proposed borough of Sunderland. Thence, hand in hand with Reform, it proceeded to South Shields and North Shields, and to that celebrated scene of the influence of the Bill—Gateshead. It was in this nest of boroughs that Reform and cholera displayed themselves first and with most peculiar virulence. But where did it travel next? To Musselburgh, which, I believe, is to have a share in the Representation of a new Scotch borough. We next heard of it in the new borough of Glasgow, and, what is very singular, it seems to have confined itself, even within all these places, to the very limits of the new 10*l.* franchise. When it came to London where did it first show itself? Most strange to say, it still followed the track of schedules C and D. It first displayed itself in the enfranchised districts of Bermondsey and the Tower Hamlets, and as it advances, seems to select, with peculiar caution, the very localities which have been the subject of so much discussion in this House, Lambeth, St. Giles's, and Marylebone. Really, Sir, this is a most extraordinary series of coincidencies, and I think I may venture to say, that the hon. and learned Member has completely identified the cholera with the Reform Bill, and in none of his many metaphors has he ever been more happy than when he classed these two simultaneous plagues together.

Let us examine the hon. and learned Member's argument on the subject of prescription. He contends that no man who consents to the disfranchisement even of Old Sarum, is entitled to raise his warning voice against measures which are calculated to shake the foundations of society. "Give up Old Sarum, and give up all claim to prescription—prescription is as much destroyed by the annihilation of one borough as by all the schedules!" This seems to me a strange mode of reasoning, and about as just as if he should have said, that any one who should endeavour to escape the measles, was bound to expose himself to the cholera. And then, Sir, the learned Gentleman proceeds to make very light of the doctrine of *Prescription*; but has the learned Gentleman seriously considered the meaning of the principle which he treats so lightly? Prescription is that principle in the moral world which, like gravity in the natural world, keeps every thing in its proper place: it is the principle of stability. Without that principle what would society be but a rope of sand—liable at any moment to be dissolved? We may talk of respect for the great charters which conferred, and for the laws which maintain our liberties; we may talk of obedience to authority, of rights of property, of reverence for establishments—all these are comprised in the single word *prescription*; without that principle, rights would be mere words, and statutes waste paper: it is the foundation of human society; sweep it away, and we begin again with the rudiments of life—we return to the savage state—from that we advance to good order and civilization, to private security and public greatness, only by the gradual operation of *prescription*. But is the hon. and learned Gentleman entitled by our constitutional experience to say, that if we abandon any one point of prescription, we must, therefore, abandon the whole principle? He talks, indeed, about historical learning; but does he recollect the result of his historical studies? Does he remember our Revolution? Does he not know that our ancesters—our Whig, aye, and our Tory ancestors—who concurred in effecting the Revolution, when they were obliged to depart from the strict rule of prescription and to change the person of the Sovereign, selected as his successor the individuals who had the next best prescriptive right? The principle of prescriptive right was vindicated by the selection of William and Mary to fill the vacánt throne, and that principle was further vindicated by the maintenance, inviolate, of the composition of the Houses of Lords and Commons, and of every institution in the country.

The hon. and learned Member, resuming the system, which he alternately recommends and rejects, of reasoning from antecedent facts, has been pleased also to call us on this side of the House, theorists. I cannot well see why we should be thus designated, for, most undeniably, our arguments, such as they are, rest on facts, while his are altogether the schemes of theory; and, as I must take leave to say, undigested and inconclusive theory. The hon. Member alluded particularly to my noble friend (Lord Mahon), but certainly the imputation of theory was never worse applied than to that able and practical speech. Does he mean that my noble friend is a *theorist*, because he adheres to things which have been established for centuries and rests his arguments on the experience of ages? The hon. and learned Member must allow me to tell him, that, in this sense of the word, all eminent public writers of the present day are theorists also. I am proud to concur with the opinions of the most remarkable of these theorists, though I have not the pleasure of participating in their votes. Who are the writers of the present day—who maintain the theory of the Constitution against the disturbing accidents of a moment of temporary excitement? Who are the theorists who tell us that we should endeavour to move in our ancient planetary system undisturbed by the comets which are occasionally crossing our orbit? They are Lord Holland, Lord John Russell, Sir James Mackintosh, Mr. Jeffrey, and Mr. Brougham. I speak of these persons, and mention their names as authors whose works are before the public, and to which, as literary authorities, I appeal. I happen to have an extract from a work of one of these theorists; one whose evidence must be, in the learned Gentleman's opinion, of great weight both as a writer and a politician — I mean Lord Holland.

In the year 1815 an eminent Neapolitan* consulted Lord Holland as to the best mode of framing a constitution for the country which he was called to govern. In the case in which Lord Holland was consulted there was no prescription to combat—no Old Sarum to get rid of—no Boroughbridge to disfranchise. He had the whole champaign open before him, to indulge, without the risk of invading ancient prejudices, the full scope of his theory; but Lord Holland did not say, "Oh, there is nothing so easy as to frame a new constitution—it is only to divide your country into districts—give the elective franchise to 10*l.* householders to secure its due weight to property—let there be a registration of voters every year to save trouble—and, instead of taking fifteen days for your elections, establish two days' poll at fifteen polling-places in order to save time and expense." Far different, however, was the answer of Lord Holland: it was an answer full of wisdom; and I am sorry it has been so soon forgotten. Lord Holland said, "Constitutions are, in fact, productions which can neither be created nor transferred; they are the growth of time, and not the invention of man; and, to attempt to frame a complete system of government, which must depend on habits of reverence and respect, would be an attempt as absurd as to build a tree, or to manufacture an animal." Such was the wise advice of that noble, learned, and judicious person. In his observations on the formation of a constitution, he places prominently the principle of reverence and respect, as that which may serve as the safest guide, or, in other words, the principle of *prescription*. He was, when he wrote that letter, not insensible to the dangers attending a navigation in the sea of politics, when if the fixed star of prescription be lost sight of, a wreck of society must inevitably follow.

Sir, the hon. and learned Gentleman has told us we must look to the signs of the times; but he is like those spoken of in the passage of the Holy Scripture where that phrase is used, who, when they see the sky red at one time say, to-morrow will be a fine day, and at another time say, that, for the same reason, the day will be foul. The signs of the times are as the hon. Gentleman wishes to see them. In my view the sky shews the signs of bad weather; but the hon. Gentleman prognosticates happy and halcyon days. If I look to the signs of the times, I can see not only no evidence, but no hope of tranquillity. What are the signs of the times with respect to this very Bill? Is there any sign that it will be final and satisfactory? Does the devotion of the majority in this House who support this Bill obtain for them respect or applause out of doors? Does any rational man who supports this Bill hope for the public gratitude? Does the hon. Gentleman mean to say, that he who pushes to the utmost extreme his confidence in this Bill, has seen much ground for believing that it will be final and satisfactory? Does he derive much hope from public gratitude, when he sees the Prime Minister—when he sees each individual of the Ministry—when he sees the characters of the majority—the characters of that body of which the hon. and learned Gentleman who has just sat down is so distinguished a Member—assailed as they are in the public prints, which have constituted themselves the especial protectors of the Bill? If any man indulges in such vain hopes, let him consider what is written on the subject. I will read to the House a passage which I have extracted from one of those organs of public opinion which the noble Lords opposite have taught me to dread, if I do not respect.

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* Supposed to be king Murat.

[The right hon. Gentleman then read the following extract from *The Times* newspaper of the 7th instant:]—'The people—'the people of England have stuck the 'spurs deep into the flanks of many a shy 'and shuffling jade, amongst those who are 'called their Representatives, and forced 'the dogged animals onward. It is a 'nation that has performed the work. The 'Ministers had only to look on, and be 'borne forward by the mighty current.'

The writer goes on to pay a sort of compliment to the party with which I am connected for our unity of purpose and proceedings; he says, *we* have only taken a false view of the subject, and have at least the humble merit of consistency; but whilst this modified praise is given to us, the more unfortunate Gentleman to whom we are opposed, are characterised as "*shy and shuffling jades,* and *dogged animals,* into whose flanks the people have found it necessary to stick their spurs." These are indeed the signs of the times, and I confess they concern those whom I am now addressing most nearly and most personally.

But the learned Gentleman has again referred us to the lessons of history, and instanced the causes of the decline and fall of nations. I again accept his challenge, and, in reply, will quote a few words from one of the private letters of Mr. Gibbon, the historian of the *Decline and Fall of the Roman Empire,* and the prophet, it would seem, of the decline and fall of the Constitution of England. Gibbon, says—'If 'you do not resist the spirit of innovation in 'the first attempt—if you admit any specious 'changes in your parliamentary system—'you will be driven from one step to another—from principles just in theory, to 'consequences most pernicious in practice—'and your first concessions will be productive of subsequent mischief, for which you 'will be answerable hereafter to yourselves, 'your country, and posterity.'

Such is the opinion of Gibbon on Reform; on I believe the very Reform proposed by Lord Grey in his early years; and well did Mr. Gibbon appreciate its probable progress and peril. He wisely saw the whole mischief in the first step. Reform may be compared to the little cloud alluded to in Scripture, and familiar to the experience of eastern navigators, which rises not bigger than a man's hand, but which keeps on increasing until it envelopes the world in obscurity and tempests, and announces or accomplishes the overthrow of kings and kingdoms.

Sir, the hon. and learned Gentleman has told us also, in another of those metaphors which he delights to introduce, but in which he appears to me to have been this evening rather unlucky in the way of argument; he says—"When you are about to make a coat, for God's sake let it fit the man for whom you mean it; do not take your measure from the Apollo Belvidere, but adhere to the common shop-board, and, with vulgar chalk and shears, cut your coat according to your cloth, and be sure you keep to your measure." Now, adopting for a moment this elegant metaphor, I wish much to hear at what period of our history the coat of the English Constitution has ever been cut after the fashion now recommended? Was there ever before such a thing heard of as the division of counties? Was there ever before such a thing heard of as the abolition of all corporate rights—as the annihilation of that diversity of franchise which is so peculiar and so salutary to the Constitution of this country? Was it ever before heard that a right of franchise was to be made, like the coat of an army clothier or a parish contractor, not for one man, but every man, of every size and every occupation? Such, however, is that coat whose exact fit the learned Gentleman thus extols, but which I believe, when it comes to be tried, it will be found that, intended to fit every body, it will in fact not fit any one.

The sartorial allegories of the hon. and learned Gentleman, which I should certainly not have ventured to introduce, remind me of the tailor in "Swift's Flying Island," who took measure for a coat with a quadrant, and cut it out by arithmetical calculations; Lieutenant Drummond himself could not have done it better; the coat is made in the most scientific manner; but, unfortunately, the tailor, like Lieutenant Drummond, makes a slight error in his calculation, and when the coat comes home, it cannot be worn—it will fit nobody; there is neither citizen nor burgess who, when they come to see this arithmetical habiliment, are willing to put it on. All were delighted at first when they heard they were to get a new coat, and that it was to be sent home to them gratis, by the bounty of the King's Ministers—that it was made of true-blue cloth, with a red collar and white lining; quite a *tri-color* garment, but, to save appearances, with the cypher of the King and the figure of the Crown on the buttons. But it was found, and by those, too, who made it, that it did not fit, and so it has been patched, and pieced, and mended, and amended, till, even before it is worn, it becomes like Sir John Cutlar's stockings, to have hardly a shred of the original left together; and, after all the trouble and expense which it has cost, will at length be cast aside as a thing too old-fashioned for the young, too new-fashioned for the old, and, in short, a misshapen tissue of blunders, which, if the learned Gentleman will venture to wear, I give him joy of his courage, and sincerely assure him that, with all my admiration of his talents, I should by no means wish to be in his coat.

To return, however, from the metaphors of the learned Gentleman to the principle of the Bill, you are told that this is to be a final distribution of political power; and if it is not a final distribution of political power, its advocates must admit that it certainly is a most dangerous experiment; because you are going to take out of the House of Commons the special and indirect influence of the Crown exercised by its Ministers, and the special and indirect influence of the Aristocracy by which a power is created in this House, which moderates the direct popular influence, and thus preserves the independence of the other branches of the Legislature. "Yes," say our opponents, "we are going to restore the House of Commons to its original purity and independence." Without stopping here to inquire what the period is at which we find that purity and independence, I must ask, are we equally inclined to restore to the Crown and the Lords their constitutional independence? Are we to expect, as a daily occurrence, that which has not happened since the Revolution—the *veto* of the King—and is the House of Lords habitually to exert its negative on the proceedings of the House of Commons? Of all the fallacies that have been promulgated by theorists about our Constitution, the grossest is that of the equibalance of the three estates—independent and co-efficient. It is a state of political society which would not exist a month. Supreme power (however nominally distributed) must in practice be vested in one authority. With us that authority is the House of Commons, but, in order to prevent that authority being wholly popular and supreme over the other two, the Crown and the Aristocracy have a disguised but well-known and acknowledged influence here, which preserves the real balance, and obviates those dissensions and collisions, to which the same powers, operating in separate and wholly independent movements, would be liable.

But, say the popular advocates, the result of all this is, that the interests of the people have not been represented in this House in the way they ought to have been, and that the Aristocracy has had in it too much influence. The fact, I think, I may deny, when I look at the House, that even under the present system, I see here collected—is it, can it be denied, that this House is essentially popular, and that every year, almost every month, it has become, and is becoming, more so, and that the influences of the Crown and the Aristocracy are becoming every day less and less? In fact, their influence is not, and never, I believe, has been, a controlling, but only a moderating influence. The present admixture of interests in this House creates a certain elasticity, which has acted like springs, and has prevented violent collision with the Crown and the House of Lords; take away these springs, and we must run the risk of jostling and destroying each other.

This is not mere theory—look at what is even now passing under our eyes. Even before you have an opportunity of trying the larger experiment, the House of Lords have been told, that they shall not have an opinion on this very measure; nay, the most audacious and unconstitutional means have been used to menace and intimidate that House into that which they are not inclined to do. If we are to insist on this measure, if the House of Lords are to have no option, if they must register the Bill when we send it up to them, does not this show what may be expected, what must happen on all future occasions? Is it unreasonable that the House of Lords should have an opinion of its own? Is it justifiable in the Monarch, by the advice of his Ministers to drown the opinion of the House of Lords by such an unconstitutional measure as a large creation of Peers? What security shall we have, when this Bill shall have been passed, that the House of Lords will retain even a shadow of independence? There never was anything more absurd than the theory of distinct powers nicely counterbalancing each other, and still separately maintaining their independent authority. The House of Commons, as it now stands, feels the influence of all the parts of the Constitution, and becomes in fact, though not in theory, an omnipotent body. We see this every day—we see even that the King's Ministers, possessing the confidence of the Monarch, are unable to hold their places without the sanction by this House of their measures. We know that this House not only represents the sentiments of the people, but that it feels the influence of the Aristocracy and of the Crown? It is that union which gives all its vigor to the Constitution of the country, and has enabled us, and us alone, of all the nations of the world, to solve that great problem of a distribution of authority with a unity of power. Let the House of Lords maintain its independence by its preliminary influence amongst us, and this happy and well balanced state will continue; but reduce the Lords to their separate and naked legislative negative, and their authority will vanish before the uncontrolled strength of the Commons; and the House of Commons, when it has got rid of the Lords, will soon, in the wantonness and irregularities of unlimited power, fall a prey to its own dissensions—to the want of some principle of stability—of some permanent standard of policy, and of some fixed power of control.

The hon. and learned Gentleman has attributed the distresses of the country to the feeble influence of the people in this House, and to the corrupt state of the House itself—so little, as he thinks, in harmony with the spirit of the age, and so little affected by the altered circumstances of the times—but I must tell the learned Gentleman, that, in making this observation, he does not appear to have investigated the case with that profundity of research which I should be led to expect from one who professes to have examined with philosophical attention, the practical workings of our system. I contend that the House of Commons has adapted itself to the altered state of society, that it has not merely followed, but met the increased intelligence of the country, and has fitted itself for the developement and protection of new interests as they have sprung up. Can the learned Gentleman deny or disregard the popular preponderance in the personal composition of this House—its more sensitive sympathy with public opinion—its decreased deference to the Crown—its increased dependence on the people? Is not the power of the Press an important popular change? Is not the daily publication of our debates a most important popular alteration?—this is a power which, as the means of popular control over us, has been known as existing at all within only the last half century, but which has grown into what it is now within only the last thirty years. Does not this show that the House of Commons adapts itself to the march of the times? Does not the learned Gentleman also see, that in both the quantity and quality of business done by this House, there is a vast difference between the present and former periods? This House has now brought before it everything connected with internal government, and local and legal administration, as well as those with which it was formerly almost solely conversant, financial questions and state policy. Not only are the chief and most striking questions of national interest discussed, but even parish affairs are regulated, and personal topics of every kind investigated with a degree of attention, which proves, at least, how deeply this

House enters into all the minutiæ of Administration. The grievances, not only of the people, but of every individual, are constantly brought before this House, and the power of communication between this House and every class, however humble, of the people, is considerably enlarged. A most important alteration, therefore, has, I venture to assert, taken place, not only in the composition of the House, but in the extent and exercise of its powers. I say, then, that the House of Commons has accommodated itself to the change of circumstances which it has had to encounter. Among other things, the close boroughs I consider as one of those very adaptations. The existence of close boroughs has, as I have already said, prevented or guarded against those violent checks and collisions between the House of Lords and the House of Commons, which, in all probability, would have happened under other circumstances; but they have also been the channel by which such interests, as have no direct Representatives, whether manufacturing, commercial, or colonial, have been enabled to send Representatives to the great council of the nation. Of these great interests, there is but one—the manufacturing—for the Representation of which the Reform Bill even affects to provide, and for which, in fact, it will not provide so well as at present, while all the other interests of this great empire will be left in infinitely a worse state, even as to Representation, than they are under the present calumniated, and, I will add, misunderstood arrangement.

I may be asked, why should not all these interests be directly represented? My first answer would be, it is impossible. —Direct Representation must be local, and many interests are too subtle, or too diffused, to be localized. Where would you localize the Representation of the Law—of the Church—of Literature—of Funded Property—of Colonial interests? but there is another, and, for our present purpose, a more conclusive answer—this Bill provides nothing like such a Representation; it takes from all these interests their present virtual Representation, and gives them nothing whatsoever instead.

The hon. and learned Gentleman has drawn a frightful picture of the deplorable and increasing distress of the country, and that distress he has attributed to the operation and influence of the feeble and corrupt portions of the Constitution. All that is rich, and prosperous, and great, in our national position, he attributes to what he calls the sound parts of our Constitution; all the misery and distress he imputes to the close boroughs. I will not stop to dissect and expose this absurd division and appropriation of the good and the bad of a system so mixed and interwoven as ours, to what a learned Gentleman may fancy, in his constitutional reveries, to be theoretically good or bad; I need only say, that the learned Gentleman has but a poor recollection of his own arguments. I remember that, on a former occasion, he took particular pains to prevent its being supposed that he anticipated, in the Reform Bill, a remedy for the distress of the country. I am quite confident of the accuracy of my memory; and I am also sure, that either the hon. and learned Gentleman himself, or some one in reference to his line of argument, made use of this quotation—

> " Of all the ills that human hearts endure,
> How small the share that kings or laws can cure."

Whether the hon. and learned Gentleman used this quotation, or whether it was used by myself, or by some other Member, in illustration of his opinion, I really forget; but it certainly was so used, and gave a succinct and just view of the tenor of his argument; and yet he comes forward to-night, and, in the teeth of his recent opinion, attributes the distress of the country to the want of Reform in the House of Commons. If the House could have forgotten that what I have just stated was the distinct direction of the learned Gentleman's argument, I can bring it to their recollection (I am sure I need not revive it in his) by alluding to the felicitous pleasantry with which my right hon. friend, the member for Tamworth, replied to that former speech—how he fixed the learned Gentleman down to the admission, that Reform, though it could not remove the distresses of the country, might, however, tend to the improvement of this or that legal or administrative detail, and how he showed that of these petty improvements, which the learned Gentleman predicted from the Reform Bill, some had already been accomplished before the Reform Bill was heard of. The learned Gentleman must, therefore, allow me to say, that now, as on former occasions, in his difficulty to find argument, he has fallen into gross inconsistencies.

But the advocates for the Bill tell us that our apprehension that this Bill is only the first step to an interminable career of change is wholly groundless, and that the measure will be final. The learned Gentleman, indeed, a little mitigates or obscures that promise, but still tells us that it will be as final as any human arrangement can be expected to be. Alas, Sir, the broader and the narrower assertion are both contradicted by the facts which are passing around us. There is not the slightest reason to hope (but just the reverse) that the Bill will satisfy or pacify what are so improperly called the people. Let the House look to the proceedings on it which have taken place up to the present moment. No change has been made in this Bill that has not been introduced in obedience to popular clamour, and every change which tended to propitiate popular clamour has been adopted. Such is the fact; and what hope, therefore, is there that, in opposition to the whole course and experience of nature, the appetite for change, once gratified, will die away. No, Sir, the desire of change will not be pacified but instigated by the passing of this Bill. I am satisfied that there is nothing so much calculated to inflame the minds of the bad part of the community as the success they have already achieved. A worse lesson cannot be read to them than that which his Majesty's Ministers have already taught them—that they have only to show their physical strength in order to secure themselves political success.

I am not going at length into that part of the subject, but, as a proof of my assertion, I will call upon the House to bear in mind the history of the 10*l.* franchise clause. Let any hon. Member trace the changes which have taken place in that clause, and then say, if he can, that those changes have not been dictated by subserviency, not to the people, but to the populace. There is as great a difference between the 10*l.* clause, as originally proposed, and as it at present stands, as there is between reformation and revolution; and, in the same way on every other point in which an alteration has been made, it has been done under the same pusillanimous subserviency, and in the same democratical direction.

If this Bill shall, unhappily pass, and become a law, I will assert—and I believe it from the bottom of my heart, and that reluctant belief has been formed after the most anxious and agonizing reflections—that it will put an extensive power in the hands, not of the people, but of the populace, who will soon destroy their own work, like a toy—and scatter to the winds all those complicated and contradictory clauses which it has cost you two painful and fruitless years to frame. But will it end here? No! They will go on from bad to worse, having no other guide than their passions; for you will have eradicated from their minds every principle by which mankind are controlled. Anarchy, with all its horrors and miseries will ensue. The appetite for change will go on increasing so long as there remains food on which it can be indulged; and will lie down at last, like the wild beast, appeased and quiet only when it is satiate with having devoured all that is within its reach.

We might as well look to a new course in nature, as for a different result; we might as well expect that childhood wll not be followed by youth, and youth by manhood, and manhood by age, as that indulged license will not be followed by anarchy, and anarchy by despotism. Let me not be misunderstood; I do not believe that it is in the power of those who propose and forward this Bill, to destroy for ever the goodly frame of society in this country. I believe that there is a special Providence, that, though it permits temporary inflictions, will not allow of permanent destruction. As in 1660 and in 1688, after intervals of darkness and danger, the principles of our Constitution burst out in renewed vigour, so, I believe, that after the interval of misrule and anarchy with which we are threatened, the principles under which this nation has so long flourished will spring again with renovated power, and restore to the harassed and exhausted people the comfort of living once again under a system of freedom and security. I am glad to be able, with a full conviction of its truth, to say to the promoters of this portentous measure,

> "Fond, impious man, thinks't thou this sanguine cloud,
> Rais'd by thy breath has quench'd the orb of day?
> To-morrow it repairs its golden flood,
> And warms the nations with redoubled ray."

Such, I have no doubt, even if we are destined to undergo this trial, will be the ultimate, however distant result. This great and glorious country, with all its recollections and all its hopes, cannot long remain in oblivious anarchy—there will be a new dawn of English society; but, before that dawn can come—O! would that I could disbelieve the prophetic warning—we must have passed through a dreary, tempestuous, and calamitous night.

Lord *Althorp* said, that argument had been so exhausted upon this question that he felt it necessary to trouble the House with only a few words. He certainly could not refrain from expressing his surprise that the hon. member for the University of Oxford had been bold enough to defend the propriety of the Nabob of Arcot having four Members to represent his interests in the House of Commons. It might with as much reason be contended that the emperor of Russia or the king of France should have Members to represent their interests. The right hon. Gentleman who had just sat down (Mr. Croker) argued the question upon different grounds. He had accused the Government of making changes in the Bill in obedience to popular clamour. Now, hon. Gentlemen opposite were aware, for it had been very often stated by them, that the Government had yielded, in many instances, to their suggestions in framing the new Bill; and unless hon. Gentlemen opposite were to be considered as the organs of popular clamour, he did not know how Ministers could be charged, when they adopted suggestions from such a quarter, as having done so in obedience to popular clamour. The fact was, however, Ministers had adopted such alterations as they considered beneficial, without considering whether they should be taunted by having it said that they yielded to popular clamour, or that they adopted the views of their adversaries. It had been asserted that the only reason any one had for supporting the Reform Bill was, that it was necessary to satisfy the people. But the correctness of this assertion he could not admit. He hoped and believed that a great majority of those who voted for the Bill supported it on its own merits, and because they believed it to be a good measure to be adopted. A great many amongst the supporters of this Bill he was convinced, agreed with him that it was advantageous to extend the power of the people in that House, and to assimilate somewhat more the practice to the theory of the Constitution. It was argued very strongly that this could not be a permanent measure, but he did not see what good ground there was for considering that any measure would be permanent, except in proportion as it gave satisfaction to the country. For a proof of the satisfaction which this Bill would give, he could appeal to the general anxiety which had been manifested for its success. Did hon. Gentlemen mean to say that there was no such anxiety?—or did they mean that the anxiety was not general that the Bill should pass? He did not know from whence hon. Gentlemen collected their information, or in what society they formed their opinions, but if they looked at the feeling of the country, he should say that there never had been a measure depending in Parliament upon which the public in general expressed such anxiety as upon this. Surely there would be a less chance of permanency if they resisted all change; and if, as some hon. Gentlemen held, the people desired more than this measure, that was a tolerably strong argument that they would not be satisfied with less. But it was also said that the measure could not be permanent, because it did not go the whole length of Universal Suffrage. Was it meant that no measure upon the basis of a compromise could be permanent? He trusted that the good sense of the people of England would be satisfied, when they saw that the grievous abuses of the system—the crying evils of which they complained—were got rid of, and that the body of the people would have a due influence in the Representation of the country. He was sure that the people of this country were not so fickle as to give reason to apprehend that when they had no practical evil to complain of they would still wish for change, for the sake of change itself. It had been truly said, that what the country now required was quiet, and a cessation from anxiety and agitation. He considered this Bill as the most efficacious means of giving it that quiet and putting an end to the present agitation. The right hon. Gentleman had said, that Lord Holland gave the Government good advice when he said that, in any changes which they introduced, they should look to the great landmarks of the Constitution, and not lose sight of those principles under which the country had so long flourished. He acknowledged the justice of this sentiment, and the measure before the House kept this object most carefully in view. The right hon. Gentleman spoke of the ingratitude with which the supporters of the Bill were treated, and quoted an article in proof of that from some public paper, he did not know which [*a laugh*]. Gentlemen laughed as if they doubted what he said, but he assured them that, not having an opportunity of looking at the papers much, he really did not know which of them it was, nor even what were its politics. [Mr. *Croker* said, it was *The Times.*] It seemed that the paper in question complimented the Gentlemen on the other side of the House, and called the supporters of the Bill jades and dogged animals, denying them any merit in the measure. Those who supported the Reform Bill might meet with ingratitude from *The Times* newspaper, but he was sure they would obtain the gratitude of their constituents. He was sure that they would be rewarded by their constituents placing confidence in the sincerity of their support of Reform. They had nobly redeemed the pledges given to their constituents, and he had no doubt they would receive in return the gratitude which they merited.

Lord *Valletort* said, it was his intention to confine himself to one point which had been adverted to by the noble Lord, the Chancellor of the Exchequer, who, in answer to a part of the most eloquent speech of the right hon. Gentleman, the member for Aldborough, asserted, that there was abundant evidence to prove, that the country had decidedly declared itself in favour of this Bill, and that it would not be content with less. From inquiries he had most anxiously made he felt thoroughly convinced that from nothing that they had seen, were they justified in coming to such a conclusion. It was a mistake which hon. Gentlemen too often fell into, of taking the declaration in favour of Reform in general, as a proof that the wish expressed was for this Bill, and nothing but the Bill. With reference to its feelings upon this question the public might be divided into four classes. The first was that consisting of those who really wished for the whole measure, and that, he allowed, was of the four, the most numerous. But of whom did it consist: chiefly of the mob, by which name he alluded to those who were influenced more by impulse than by reason—those who were influenced by a senseless desire of change, for the sake of change alone—those who openly avowed that they looked upon this measure merely as a stepping-stone to ulterior measures, which, he believed, there were few in that House who would not acknowledgewereincompatible withmonarchy. Abstract all such from it, and he had great doubts whether, of the four, it would then be the most numerous; but if the influence by means of intimidation, which they had exercised both in aggrandizing the one and diminishing the other, had never been in operation, then he was quite sure it would never have been so. The next class was one which he also felt assured was a large one, it consisted of those who resided in large towns, and among large communities, who desired a Reform, but dreaded the extent of this experiment. He assured hon. Gentlemen that he knew such to be the case. He knew that Gentlemen, who, being desirous that the feeling against this measure should not be entirely concealed, had carried about petitions and addresses for signature, but had constantly received such answers as these: — "Are you for Reform?" — "Yes." — "Do you, however, think this measure too violent?" — "I certainly do."—"Put your name, then, to this paper, which only expresses that sentiment."—"I dare not, for, were I to do so, my property, hardly my person, would be safe from the violence of the mob for a day." He could give instances within his own personal knowledge that would surprise hon. Gentlemen, by showing to what an extent this kind of intimidation had been carried. In a small village, in the neighbourhood of which he resided, several small householders willingly put their names to such a document, but shortly afterwards came begging that their names might be erased, for that they depended for employment solely upon the lower orders, that their customers of that class had come to them, and said that they had been signing against their King and country, and, therefore, if their names were not withdrawn, they would be ruined. The third class were those who, like himself, had opposed openly and constantly the whole measure; and it must not be supposed that, because its voice was not heard as loudly as that of their opponents, that, in numbers even they were insignificant. What means had they of competing with their opponents in making their opinions known? All those who were likely to have recourse to violence in the suppression of opinions were attached to their adversaries; was it to be supposed, therefore, that they would be foolish enough to call meetings at which they would not have a chance of being heard? Very effectual means had been taken for suppressing the demonstration of their opinions; but if a conclusion was, therefore, drawn, that they were few in number, such conclusion was most unwarranted. The last class were those who, in their hearts, were as much opposed to this measure as the last one he had mentioned; but yet, hearing the clamour of the one, and observing the comparative silence of the other, endeavoured to persuade themselves that the unanimity so sedulously asserted really existed; they were too timid or too cowardly to attempt to stem the current, and, therefore, meanly turned and swam with it. This class, too, no man of candour would deny, was also a most numerous one. Now, however much hon. Gentlemen might differ from him as to the relative proportion of these classes, they must admit that every one of them, except the extreme part only of the first,—would have been content with a more moderate experiment upon the Constitution of the country than this Bill was. At the conclusion of last Session of Parliament, he had declared that if Ministers would consent to introduce a more moderate measure, he would be ready to give it his humble support; and, in spite of the statement of the noble Lord opposite, that they never would consent to do so—in spite of the declarations of the noble Lord at the head of the Government, that they would persist in forcing through this measure, in all its undiminished violence, he could not refrain from indulging a hope that they would think better of that decision. The consequences of such perseverance were to him so apparent that he feared it would inevitably lead to one of two results—either that the Bill would be a second time rejected, or that it would be forced through the other House of Parliament by such an exercise of the prerogative of the Crown as must for ever destroy its independence. From the first, he should have thought, if they really did anticipate the consequences which they asserted would follow, the common feelings of humanity would have made them dread risking it; from the second, he should have thought, that if they possessed the slightest attachment to the great institutions of the country, they would have shrunk with horror from the possibility of being placed in a situation in which they might feel themselves induced to advise the Crown to adopt a step which every man who affected respect for the Constitution of his country joined in deprecating. He was sure that it was in their power to have avoided either of these dangers. He was convinced that they might, without sacrificing the main principles of their measure, have produced one which the other House of Parliament would have been, without any such violent step, induced to adopt. He greatly regretted that they had thus rendered it impossible for all declared opponents of the old Bill to withdraw their opposition from this. So deep were his feelings of the difficulties with which they were surrounded, that he believed it impossible for them to escape unscathed. Constituted as that House was at that moment, it could only be regarded as the slave of the passions of the people, and he would ask if there was any man who would say that it was desirable that the House of Peers should be reduced to a similar condition? He, for his own part, repeated that he had most anxiously wished to see such a modification effected in the Bill as would justify him in supporting it, and, if that had been the case, he would have readily changed his side of the House, although he had gone alone. The fact, however, was otherwise, and he was compelled to vote for the Amendment.

Debate adjourned.

HOUSE OF LORDS,

Monday, March 20, 1832.

Minutes.] Petitions presented. By Lord King, from the Inhabitants of Kilcullen and Gormanstown, for the Abolition of Tithes and Church Rates in Ireland; by Viscount Lorton, from the County of Westmeath, representing the disturbed state of the County, and praying that the Magistrates might have additional power; by the Earl of Wicklow, from King's County, with a similar prayer.

Dublin Coal Trade Bill.] Lord Auckland moved that the Bill be read a second time.

The Earl of *Wicklow* said, that, before the Bill was read, he begged to call the attention of Members to a petition which he had presented on the subject, from a most respectable body of persons in Dublin, who complained that the Bill would work great injustice if passed in its present shape. They stated, that the coal-meters of Dublin were a body of persons whose means of existence depended on the existing law; that they had accepted their situations under the implied promise that they were to hold them for life, or during good behaviour; that the coal-meters of London had received compensation when their offices were abolished; and they prayed their Lordships that the coal-meters of Dublin might be placed in the same situation, and receive compensation, if the measure then before the House passed into a law.

Lord *Auckland* trusted that the noble Earl would be satisfied that the coal-meters of Dublin would sustain no injustice; but, in consequence of what passed in another place, it had been found necessary to submit their case to the consideration of the Law-officers of the Crown.

If it should appear, that the parties had made good their claim for compensation, it would be granted of course.' He, therefore, hoped their Lordships would allow the Bill to proceed upon that understanding.

Lord *Ellenborough* considered the Bill ought not to be passed upon such an understanding, because it might so happen that it would not be acted on, and their Lordships would then have no means of affording relief, if the parties should make good their claim to compensation. It had been the constant practice of that House to protect the interests of persons so situated, and the principle could not be abandoned in this instance with justice or good faith. He was informed that, under the Bill which passed last year for regulating the coal-trade of London, compensation was allowed to the meters to the extent of 13,000*l.*, and the same measure ought to be dealt out to the coal-meters of Dublin.

Viscount *Melbourne* said, the course proposed to be adopted was not unusual. It had been practised under the Administration of the noble Duke (Wellington) when the Irish Linen Board was abolished.

Bill read a second time.

TONNAGE DUTIES BETWEEN GREAT BRITAIN AND FRANCE.] Viscount *Strangford* requested to know, from the noble President of the Board of Trade, whether he had received any official notice from the French government of the reduction of the tonnage duties on British vessels in the ports of France, or to what extent that reduction was to take place?

Lord *Auckland* replied, that Government had as yet received no official notice of any arrangement having been actually concluded by the French government, but they had received notice of the intention of the French government to reduce the duties. As to the extent of the reduction intended, it was to be one-third of the present amount. But the amount was different at the different ports, and various returns were to be collected, and calculations to be made, in order to strike an average, with a view to an assimilation.

Viscount *Strangford* asked, whether the assimilation was to be confined to the tonnage duties, or was to include the whole of the tonnage and harbour dues?

Lord *Auckland* replied, that there was to be an equalization on each side as to the whole, and, with a view to this reciprocity, the French had raised their tonnage duties, leaving us our harbour dues. But, upon a representation made to the French government, that their tonnage duties were higher than our harbour dues, they had agreed to reduce their tonnage duties, so as to produce an equalization, and an arrangement was in progress for that purpose.

ZEMINDAR OF NOZEED.] On the Order of the Day being read for the second reading of the Bill relative to the claims of the creditors of the Zemindar of Nozeed, against the East-India Company, counsel were heard.

Lord *Wharncliffe* moved, that this Bill be read a second time, in order that it might go into Committee, so that the promoters of it might have an opportunity of stating more particularly the circumstances of the case, and that those circumstances might be submitted to inquiry. It appeared to him, that to that extent—the going into a Committee—a sufficient case had been been made out. He would very shortly notice the objections which had been urged at the Bar against the second reading of this Bill; the principal allegation being, that the person who now came forward to claim the payment of this money was the representative of an individual who was a servant of the East-India Company, and who, in that capacity, had no right to make a loan to the Zemindar of Nozeed, and that his conduct in that respect had vitiated his claim. There had been an order made by the Company, that no servant of theirs should engage in such transactions; but, previous to the year 1779, it was very apparent that this order was not very rigorously enforced; and it was also clear, from the conduct pursued by the government of Madras, that it did not wholly discountenance the transaction in question; because, when the security was taken from Opparrow, the Zemindar of Nozeed, in respect of the loan, and under which the parties now claimed, they took care that the facts should be communicated to those who then exercised the government of India. It was matter of history, that Lord Macartney was sent out to Madras for the purpose of putting an end to the notorious abuses which then existed in that presidency, and he (Lord Macartney) had a very strong impression that no transactions of this sort should be permitted to exist. He, consequently, called upon the parties to give up certain villages which they then held as mortgagees in possession, and he said, if they were immediately given up, he would recommend their claim to the favourable consideration of the East-India Company: therefore, even supposing that this person lent this money as a servant of the Company, the circumstance of the Governor and Council of Madras having acknowledged the right to do so, did away, in a great measure, with the misconduct of the servant in the first instance. In consequence, therefore, of the representation of my Lord Macartney, this gentleman being in possession of these villages as mortgagee, upon giving them up, relinquished the security which he had against the Zemindar; and he would contend, that as there were large revenues in the hands of the Company, arising from the possession of this property, out of those revenues the demands of the representative of Mr. Hodges ought to be paid. These circumstances must have been all very well known to the East-India Company; because, in 1803, the Company called for a further statement of all the facts and circumstances connected with the transaction, and after that further statement, they restored this property to the descendants of Opparrow, without intimating any opinion as to the illegality of the claim made in respect of this loan. Sufficient was shown to allow this Bill to go into Committee, in order that the promoter of it might be permitted to establish these facts by proof. But then the counsel on behalf of the East-India Company said, that that which was done by the Governor and Council of Madras, in respect of this matter, was never confirmed and approved by those exercising the government of India at home. In answer to that observation he would say, that if the transaction in question had been so confirmed and approved, and if the Directors had acted as Lord Macartney held out the hope that they would, in that case there would have been no occasion for this Act of Parliament. The promoter of this Bill said, relief was held out as likely to be afforded on the performance of certain conditions: those conditions were performed, and all he now did was, to call upon the East-India Company to perform their part of the agreement. But what said the Company? They would give no relief at all; they would have nothing whatever to do with the matter; and, therefore, the promoter of this Bill ought to be put in a situation to prove these facts before a Committee of the House. Another argument had been used with respect to the time which had elapsed. It was quite true, that if a person slept upon his rights, and allowed a great number of years to pass away without bringing forward his claim, then, undoubtedly, it raised a strong suspicion as to the legality of it, and, by his own *laches*, he might be debarred of the remedy he prayed. But that was not the case here, because this claim had over and over again been pressed upon the notice and consideration of the East-India Company, for the purpose of inducing them to come to some arrangement with respect to it; and there was no fair ground for refusing to go into a Committee, where alone the promoter of this Bill could prove his case. He, therefore, trusted that their Lordships would not, in consequence of what had fallen from the counsel in opposition to the Bill, refuse to give it a second reading, but that they would, by reading it a second time, afford the person in question the opportunity of proving his case before a Committee of their Lordships' House.

Lord *Ellenborough* said, that, in rising to move an Amendment—that this Bill be read a second time this day six months, he found himself placed in a situation of some difficulty, because he had supposed, even up to the moment that he entered the House that evening, that he should have been enabled to refer to the documents produced in another place, in reference to this Bill. He found himself, however, mistaken in supposing he could take advantage of those documents. But if he had been allowed the opportunity of refering to them, he should not have had the least difficulty whatever in persuading their Lordships to agree in opinion with him, that this Bill ought not to be read a second time. Under these circumstances, he found himself reduced to the necessity of referring to the preamble of the Bill, in order to find that upon which to found his reasons for asking their Lordships to refuse their acquiescence to the second reading. In spite of this difficulty, he considered it to be his duty to endeavour to convince their Lordships that, on their own showing—on the showing of the very promoters of this measure—it could not, and ought not, to pass into a law. The first circumstance which was stated in this Bill was this—that the individual on whose account this claim was made by his representative, was an original claimant for advances made by himself, and also in respect of a debt assigned over by others to him, for monies advanced to Opparrow, the Zemindar of Nozeed—this individual being at that time a member of the Council of Mazulipatam, and, from the nature of that appointment, specially intrusted, as a member of the Council of the Presidency of Madras, with the finances belonging and appertaining thereto; and it further appeared, that he was at the same time engaged in negotiating loans with the Zemindar, who was a party paying tribute to the East-India Company. It was also stated, that the Zemindar, by means of these loans, was enabled to pay such tribute to the Company; but it was shown, that these aids enabled him to persevere in a course of extravagance, ruinous to himself, and seriously injurious to the interests of the country, and of the India Company. How it happened that he was permitted to pursue such a course did not appear; and there was no allegation that the supplying of these loans was sanctioned by the Court of Directors, although it was stated, in a subsequent part of the Bill, that they were sanctioned by the local governments of Mazulipatam and Madras. But what he wanted to know was, how, even supposing these governments had so sanctioned these advances, that sanction could found a legal claim as against the East-India Company? He would deny the competency of the authorities of Mazulipatam to bind the Council of Madras, and the competency of either of them, individually or united, to bind the East-India Company. There was no person, however supreme in India, who could bind the Court of Directors. Nothing could be done by the subordinate governments of India, which might not be done away with by an order from the Board of Directors in this country; and that, too, at any period of time. If this principle was not admitted, a deadly blow was struck at once at the bond of union which existed between the governments, and the foundation upon which the peace, the happiness, and the prosperity of the people of India rested was endangered. For the short period that he had the honour of presiding at the Board of Control, he always thought the acknowledgment of this principle was essential to the welfare of India, and he had acted upon it accordingly. It was impossible to conceive that any government could feel itself authorised to sanction these loans, because, allowing, for a moment, that they had been made only to the extent of enabling the Zemindar to pay his tribute, their advance would have been contrary to every principle of right and common justice; but there prevailed, throughout all the evidence, as to this transaction, proof so strong of the denial of any such sanction on the part of the Directors, as rendered this ground of claim null and void. He now came to the fact upon which the only probable ground of claim could be for a moment refused, namely, the transactions which occurred when Lord Macartney took upon himself the office of Governor of Madras, in 1783. In point of fact, these supplied the only ground upon which the claim rested; but, as he was not permitted to refer to the previous circumstances, as detailed in the documents produced elsewhere, he would not more particularly allude to the reluctance which Lord Macartney felt as to recommending this claim to the favourable consideration of the Court of Directors: all he would say was, that that noble person was wholly unauthorized by the Company to do that which could stamp the claim with legality. His noble friend had said, that the parties who made these loans were mortgagees in possession. If their Lordships would afford him the opportunity, he would state how far they were mortgagees, and how they came into possession of these villages, which were said to have been mortgaged to them. He would not, however, refer to facts which happened prior to the year 1779, but merely observe that, in the year 1779, the authorities of Mazulipatam were ordered to pay particular attention to the situation in which the Zemindar of Nozeed stood in respect of his payment to the Company; and, on the 5th of April of that year, the answer from the government of Mazulipatam, to the government of Madras, was this—that they had sequestrated the estates of the Zemindar, in consequence of his being unable to pay his tribute. The creditors were distributed into two classes. The first class of claims upon the Zemindar comprehended those of Mr. Hodges, and others, who contended that their claims ought to stand distinct from all others, on the ground that these loans had been effected advantageously for the interests of the East-India Company; and the second class of claims comprehended debts of much greater antiquity. There was also an annual allowance to be made to the Zemindar, out of his revenues, for his subsistence. And, after the payment of the tribute due to the Company, and these payments to the Zemindar, being satisfied, the surplus, whatever it might be, should go to the creditors of the first class. This arrangement was made by the government of Mazulipatam, and was acquiesced in by the government of Madras; but that arrangement was never communicated to the Court of Directors until six years after it had been so made. Under that arrangement, all the territories of the Zemindar were leased to a native; and this person agreed, after paying the tribute, &c., to fulfil the several conditions to which he (Lord Ellenborough) had alluded; but this covenant he failed to perform. Mr. Pringle and Mr. Hodges were, at this time, both members of the government of Mazulipatam, and they took these means for satisfying, by preference, their own claims, which amounted to no less a sum than upwards of 58,000 pagodas, contrary to every principle of justice. This arrangement took place in 1779, with these mortgages in possession, as they were termed; but, in the year 1777, all such transactions had been absolutely prohibited by the Court of Directors, and, therefore, the governments of Mazulipatam and Madras could not legally concur in such proposition: they ought to have acted upon the order which had been so issued by the Court of Directors in 1777. It was under these circumstances that Lord Macartney, knowing what was due to right and justice, called upon the above individuals to surrender up the villages of which they had possession. Now, how could Lord Macartney have done this? or, indeed, would he not have been ashamed to do so? would he not have altogether declined to ask these persons to give up a certain present security, by which they must be precluded from all possible chance of payment, for twelve or thirteen years—a payment which even then could depend upon a recommendation from Lord Macartney to the Court of Directors at home, unless Lord Macartney had been perfectly satisfied that this was a mortgage which could not stand? Mr. Hodges, and those with whom he acted, did not object to give up the district villages; and the fact of their so acquiescing in the call made upon them, proved that they were glad to have the opportunity even such an opportunity as that comprised in Lord Macartney's recommendation of their case to the Court of Directors, for favourable consideration, of obtaining some valuable consideration in lieu of this mortgage, which they well knew to be of no value whatever. All that my Lord Macartney did was, to say, that he would recommend these claims to the notice of the Court of Directors; and he (Lord Ellenborough) would maintain, that such undertaking on his part, was the only ground on which they could claim at all; a ground which could confer on them no legal right whatever. It was clear that the Zemindar could not then have fulfilled his engagements, and that the Company could not now be called upon to do so for him, and to say that, while upon the showing of this Bill, these loans were made, the better to enable the Zemindar to pay the tribute and Peecush, due from the said Zemindar to the Company—though, at the same time, they enabled him to persevere in a course of extravagance, ruinous to himself, and seriously injurious to the interests of the country and the Company—the latter could be required to defray improvident loans contracted by other parties, avowedly for such objects as these: to say this, was to affirm a principle, which never could, nor would be established in any court of justice. It was contended, that if this Bill of relief was not passed, there was no remedy at law, or in equity, for the parties interested in it; and that, therefore, these claimants, or their representatives, were to come upon the Company. They had, however, no claim at law, and, therefore, could not come upon the Court of Directors; for, although Lord Macartney recommended their claims to the consideration of the government of India, it was clear that these persons had betrayed their trust to that government, by making these loans in contravention of a positive order from the Court of Directors. It was also said, that this claim ought to be discharged by the Court of Directors, in their political capacity, out of the territorial revenues of India. But he must observe, that, even were this a just claim, which it was not, he did not think that it could be so paid; because, at the times these loans were contracted, the territorial revenue of India were indivisible; and, even up to this moment, the home bond debt had never been assigned, in its due proportion to territory and to commerce. The proposition of 1813 had never, or only very partially, been carried into effect; and, therefore, he could not see what claim Mr. Hodges, or his representative, could have on the Company, in their political capacity, when, in point of fact, their political and commercial capacity were one and the same. Consistent with his duty, he had suggested such objections as occurred to him on the face of the Bill, not having thought it right to enter further than was necessary into, or take advantage of, the circumstances which were detailed in the documents produced in another place; and, in his opinion, it was the duty of that House to reject this Bill. He would not enter into a discussion upon the public inexpediency of so doing, because he was sure that justice would be done in the case. If a claim like this was to be sanctioned by the Legislature, many months would not elapse before similar claims would come before them. This claim was made in respect of loans entered into half a century ago—loans made by members of the local Indian government to a tributary of that very government—not only for the purpose of enabling him to pay his tribute—but to assist him in pursuing a course of extravagance which appeared, upon the showing of the claimants themselves, who made the loans, to have been ruinous to himself, and seriously injurious to the interests of the East-India Company; and yet, after the lapse of half a century only, this claim was brought forward—not against the individual who contracted the debt — but against the Supreme government of India; and it was made on behalf of the representative of that very servant who betrayed his trust by advancing such monies, contrary to the express orders of the government he served, by which he was prohibited from engaging in transactions like that in respect of which indemnity was now demanded at the hands of their Lordships. He would only move, that the word "now" be struck out of the Motion, for the purpose of inserting these words " this day six months."

Lord *Wharncliffe* feared that an examination of the evidence into which their Lordships ought to go, would make it apparent that the party complaining in this case had really no other remedy than that which Parliament could afford. The loan that had been brought under their consideration was transacted before any express order to the contrary had been made by the East-India Company. The prohibitory order was not issued until long after 1773, in which year the transaction now under discussion occurred. It was in 1767 that the transfer to Mr. Hodges took place; and it was not till 1777 that the order to prevent the advance of money to the Zemindars was made. He was aware it had been said, that this bond was not executed till the year 1779, certainly the general bond was not executed till that year, but separate and distinct bonds were executed for the several portions of the debt; and, in that year, those bonds were all delivered up to be cancelled, and the general bond was executed. He would readily admit that there was a great deal in what had been said by his noble friend near him; but he thought the whole value of it would depend upon that which his noble friend seemed unwilling to agree to, namely, the proposition of that House going into Committee on the Bill. In Committee, they should have the means, not only of discussing the whole matter in detail, but also of estimating the grounds of those reasonings which they had just heard from his noble friend. This was really a question which their Lordships could only determine by hearing evidence; and, when that evidence had been heard, he could assure his noble friend that he would be ready to throw out the Bill, if such evidence should supply him with the means of making out a good case. Another ground in favour of hearing evidence was derived from what had been said about Lord Macartney, for there did seem no other mode of arriving at a just conclusion upon his conduct, or, indeed, on any thing relating to the matter, without weighing and sifting the facts. Upon these grounds he must ask their Lordships to go into Committee.

The Duke of *Wellington* said, there was one point which had not yet been referred to, and which the House ought to decide, or have decided, before they proceeded further: it was this. Had, or had not, the complainant in this matter a remedy at law, or in equity, without coming to the Legislature? Suppose that this was a debt, and that the party complaining had a remedy in the courts of the Company in India; neither under that, nor under the opposite view of the question, ought the House to read this Bill a second time. The urging them to do so was calling on them to legislate without sufficient information.

Lord *Ellenborough* wished to call their Lordships' attention to this fact, that, so far back as the year 1714, orders were issued against the negotiations of loans of any kind with the Zemindars.

The *Lord Chancellor* said, their Lordships might probably expect that he should give an opinion upon the question which had been raised, as to the existence of a remedy either at law or in equity. He did not think there was any occasion for coming to a decision on that point at present, nor did he conceive it to be quite practicable until the evidence was before the House, which it could not be, unless their Lordships consented to go into Committee; and he was the more unwilling to pronounce an opinion, because, owing to the noise which prevailed in the House at the time, or to some other cause, he had not clearly comprehended the earlier portion of the argument which had just been addressed to their Lordships; but he wished it, at the same time, to be understood, that this was not owing to any want of care or exertion on the part of the learned Gentleman who addressed their Lordships. He fully concurred in the importance which had been attached to this question, and was, therefore, the more anxious that the statement of facts should be verified, if possible, and that the false portion of it, if any, should be altogether excluded from their Lordships' consideration; for, until they had brought the matter to that condition, the argument upon it could not be otherwise than unprofitable. He himself very much doubted that there was, in this case, a remedy at law or in equity, but on that point, for the reason he had already given, he felt indisposed to pronounce any decided opinion: however, assuming that such a remedy did exist, he had no hesitation in saying, that it would now be hardly possible to work it out, for the difficulties which would present themselves at every step must prove insuperable. Besides, so far as he did hear the argument of the learned Gentleman, he understood him to contend that no such remedy existed. He did not mean to assert, that its non-existence should determine their Lordships to pass this Bill, in the absence of other reasons, but he conceived that that non-existence was to be asumed from the facts that application had been made to this House to pass such a Bill; for applications of that nature were never made until the parties interested were prepared to admit—nay, to contend—that the law was silent or insufficient.

Their Lordships divided: Contents 20; Not-contents 6—Majority 14.

Bill read a second time.

HOUSE OF COMMONS,

Tuesday, March 20, 1832.

MINUTES.] Bills brought in. By Mr. Alderman HUGHES HUGHES, to explain and amend the Act 4 George 4th, enabling Courts to abstain from pronouncing Sentence of Death in certain Capital Felonies, so far as the City of London was concerned:—By Mr. RUTHVEN, to Repeal certain Acts of the Irish Parliament which imposed Penalties upon Catholic Clergymen celebrating particular sorts of Marriages therein specified:—By Mr. WEYLAND, to authorize letting out Land in small Allotments for the use of Industrious Cottagers.

Returns ordered. On the Motion of Lord MILTON, of the quantity of Wheat, Barley, Oats, Beans, and Flour, Imported from Foreign Countries and the Colonies, distinguishig each from the 5th of January, 1820, to the 5th January, 1832, inclusive:—On the Motion of Mr. ADAM DUNDAS, of the quantity of Foreign Wine Imported for Home Consumption with the Amount of Duty paid, distinguishing the Rate of Duty, and the Amount of the different kinds of Wine, for the year ending the 5th of January, 1832.

Petitions presented. By Mr. GRANVILLE RYDER, from the Inhabitants of Hemel, Hampstead; and by Lord MILTON, from the Inhabitants of Pudsey, in favour of the Factories Regulation Bill:—By Mr. WESTERN, from the Manufacturers of Silk and others in Essex; of Weavers and Persons employed in such Factories at Braintree, Bocking, Halstead, and Watford, against the said Bill:—By Mr. SHAW, from the Parishioners of the Wardenship of Galway, for the Repeal or Modification of the Stamp Duty payable upon the admission of Freemen to Corporations:—By Lord MILTON, from the Guild of Watchmakers, Galway; and by Mr. HUNT, from the Catholics of Nunn Island, Galway, for a Provision in the Irish Reform Bill, for the peculiar Franchise of that place:—By Captain BERKELEY, from Artizans at Cheltenham, for aid to emigrate to Canada:—By Mr. HODGSON, from the Owners of Real Property in Hexham, and the Solicitors of Newcastle-upon-Tyne and Gateshead, against the General Registry Bill; and from the Churchwardens and Overseers of South Shields, complaining of mis-statements with regard to the Population of those places:—By Mr. MOUNT, from the Licensed Victuallers of the Isle of Wight, for Relief from Liability to make Restitution for the Loss of Property by their Guests:—By Mr. WILKS, from certain Friendly Societies, for Repeal of the Act 10 George 4th, respecting the Enrolment of such Societies:—By Colonel GRANT, from the Freeholders and other Inhabitants of the County of Elgin, against the Malt Drawback Bill:—By Mr. DIXON, from certain Members of the Glasgow Political Union, in favour of the Scotch Reform Bill.

STATE OF IRELAND.] Mr. *Shaw* presented a Petition from the resident Nobility, Gentry, and Magistrates of the county of Cork, imploring the most serious attention of the House to the efforts made to dissolve the Union between England and Ireland. The petitioners also alluded to the Reform Bill, and expressed their deep regret at the want of firmness displayed by his Majesty's Ministers, in yielding to the arbitrary demands of a factious and discontented mob; and they concluded by entreating the House, by strong measures, if necessary, to check the revolutionary and disloyal feeling which they regretted to observe so prevalent in Ireland.

Mr. *Henry Grattan* denied that the people of Ireland were inclined either to revolution or disloyalty. He believed the hon. and learned Gentleman knew very little of the state of that country, and it would be much better if he attended to his judicial duties, as Recorder of Dublin, rather than attempt to perform the duties of a party Member of Parliament, to the neglect of them.

Mr. *Lefroy* said, he would prefer the testimony of the Lord Lieutenants of several of the Irish counties to that of the hon. Member to confirm the prayer of the petition. From the statements of these authorities, it appeared that the counties of Westmeath, Kilkenny, and Cork were almost under the dominion of a lawless and ferocious mob. The Protestants in those counties were, at the present moment, in actual danger of their lives and properties, and it was notorious that the course of justice was wholly interrupted.

Mr. *Shaw* said, the word "disloyalty" was not his, he found it in the petition, but he had no hesitation in adopting it, and he was prepared to defend the propriety of its application to the state of Ireland. With regard to the manner in which he performed his judicial duties, and his duties in that House, he did not hold himself accountable to the hon. and learned Member, but if the hon. and learned Member had any charge to bring against him in his former capacity, he was prepared to meet it. As to his duty as a Member of Parliament, he of course performed it as he himself and his constituents thought proper.

Petition to be printed.

STAMP OFFICE PROSECUTIONS.] Mr. *Hume* wished to call the attention of an hon. and learned Gentleman opposite to the fact, that prosecutions were, at the present moment, going forward against certain vendors of cheap publications under the Six Acts. He wished to know whether the Attorney General was aware of the fact?

The *Attorney General* could not deny that he was aware of the circumstance, for he saw it stated in the public prints. Those matters were generally left in the hands of the Commissioners of Stamps. He had not been consulted on the subject, and he believed it was not usual for the law officers of the Crown to interfere.

Mr. *Cressett Pelham* thought that the stamps on newspapers, as now imposed, were eminently useful in their effects, as newspapers were thus placed under the control of men of wealth and character, who, for their own sakes, would conduct them in a more respectable manner than was likely to be the result of a pauper management.

CASE OF RUSSELL.] Mr. *Hunt*, seeing the hon. the Secretary of State in his place, begged to ask him, if he had seen in the papers an account of the conviction of a person of the name of Russell, the gaoler of Huntingdon, for murder? He was sentenced on Friday, and, in such cases, it was usual that the criminal should be executed on the following Monday. He understood that the execution had not taken place.

Mr. *Lamb* said, that a delay had taken place, but he could not tell the hon. Gentleman what would be the result of it.

The *Attorney General* observed, that the prisoner was found guilty, as accessory, before the fact, to the death of a female who had murdered herself. There were doubts whether, under these circumstances, the indictment was correct, and a gentleman at the Bar had come up to town to suggest those doubts, and have the case considered. It was on that account that the delay had occurred.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — THIRD READING — ADJOURNED DEBATE.] Mr. Trevor moved the Order of the Day for the resumption of the debate on the Reform Bill.

On the Order being read,

Mr. *Trevor* said, that it was not with the slightest hope of being able to say any thing new on the question before the House, or of making one observation deserving of the attention of either side of the House, that he ventured at that moment to offer any observations on the important question that was in that House approaching its termination; but he conceived that he should be discharging his duty neither to his constituents, nor to those hon. Gentlemen who joined with him in opposition to the proposed measure, whose talents and patriotic exertions, although defeated by a packed majority, would always entitle them to the thanks of the well-wishers of the Constitution, and the supporters of good order, if he did not on that, the last, occasion that the measure might be before them, raise his humble voice against it. The present was the second measure which had been proposed on the subject of Reform to that House; but, although it differed from the former Bill, and although that difference was, he must admit, as far as it went, an improvement, he looked upon its tendency to subvert the settled institutions of the country as little, if at all, diminished. It was full of errors and anomalies, which rendered the adoption of it most dangerous. It was not his intention then, however, to detain the House by entering into a lengthened discussion of its numerous details, or to point out how, in several instances, its provisions contradicted those principles on which it was professed to be introduced. He would not trouble the House by endeavouring to discover on what principle it was that Representation was to be given in the one instance, to the manufacturing importance of Birmingham, and, in the second place, to the water-drinking and sea-bathing interests of Brighton and Cheltenham. It was impossible for him to comprehend why Representation was given to places of resort for fashionable loungers, and the rising sea ports of the kingdom were denied them. It would be useless, then, to discuss such parts of the Bill; but he found it impossible to pass over without comment the manner in which it was proposed to treat the existing rights of individuals—rights which, he begged to remark, had been long sanctioned by time, law, and justice. By that destruction of an ancient right, the Legislature was setting a precedent, as fearful as it was irresistible. It was upholding popular delusion, sanctioning the levelling doctrines of the day, and promoting that love of change which led to the fever of revolution. Many and various as were his objections to the Bill, the course which it proposed to adopt respecting ancient rights formed the most prominent and the most insuperable. And what was the benefit which this sacrifice was to give to the people of England? Had they any reason to expect that their condition would be rendered settled and permanent by such a measure? Was it, he begged to ask, possible that any man in his senses could expect the Bill to be a final destruction of those evils under which it was alleged the country, as regarded its representation, suffered? Was it not rather a stepping-stone to greater and more important changes? What had the hon. Member for Preston, to the candour of whose conduct during the whole of the question great credit was due, over and over again told the House? Why, that the people would not be satisfied by the measure which his Majesty's Ministers had introduced, for that they looked to the enactment of the Ballot, Annual Parliaments, and Universal Suffrage, as the sole means of securing for them perfect and adequate representation. Had not the hon. Member for Preston frequently told the House that he, as one of the people, only supported the measure, because he could, by its means, obtain one of a more extended and more sweeping nature? The same language had been held by the hon. Member for Middlesex. Experience, he thought, ought to have pointed out the danger of conceding to a cry for popular reformation; and, if the House was permitted to look to future probable consequences of concession to popular clamour on the present occasion, it was impossible to view with any other feeling than that of alarm the results which might attend the delegation of the power of electing Representatives to persons who were absolutely incapable of making a proper use of such a privilege. Let that Bill pass, and the House of Commons would cease to be the Representatives of the respectable householders of the country, and would become the delegates of the mob, bound to execute their most dangerous orders, and be the ministers of their most furious passions. It was important to remember, that, to their clamour, the country was indebted for the crisis to which it was then fast hastening. Could it be said that the measure met with the approbation of those who represented the intelligence and respectability of the country? Could it be asserted for a moment that the landowners and the gentry of England were favourable to it? Did not most of those who approved of the general principle of Reform, and who admitted that some degree of change was requisite, recoil with alarm from the precipice which this Bill opened to their view? To whom, then, was this crisis attributable, but to the mob, and to those who had engendered in the minds of the unthinking and illiterate people hopes of an Utopian character. But, above all, it was attributable to the effects of that licentious and revolutionary Press, which dared not only to dictate to that and the other House of Parliament the course which ought to be pursued in respect to the measure, but to threaten with the thunder of popular vengeance such Members of either Legislature as thought proper to dissent from the course which the Press chose to lay down. It was said, that the result of the late elections, and of public meetings, was a sufficient indication of the general feeling of the people being in favour of the measure. This he denied. With respect to the general election, he asserted that it offered no indication of the feelings of the people. He would even go so far as to assert that the calm sentiments of the people on the Reform Bill had never been sounded by the elections. There was a great difference between taking the sense of the people at a time when their passions were excited, and at a period when they were in possession of their sober senses. The Members on this side of the House were charged with not attending public meetings, and boldly avowing their opinions on the subject of Reform. Where would have been the good in doing so under the excited state of the public feelings? Of what avail would arguments be against brickbats and bludgeons? There might be defects in the present system of Representation, for no human institution was perfect; but, under that system, censured as it was, the country had arrived at a pitch of power and property unparalleled in the history of the world. They should consider seriously whether it was consistent, he would not say with the prosperity, but with the safety of the country to enter upon so novel an experiment. He should be happy to find that the fears he entertained of the dangers likely to result from the measure might be falsified, but the more he reflected upon the subject the more he was confirmed in those fears and convinced of the danger. He fully concurred in the observation of the hon. member for Rye, who said there was danger in refusing the Bill, and danger in granting it, but of the two he preferred the danger of refusal. The immediate danger of refusal, he believed to be much less than was represented; but admitting it to the fullest extent, he felt convinced that the ultimate dangers of consenting to such a measure more than counterbalanced it. Concession to popular clamour never answered the end for which it was designed. Many looked to this measure as the great panacea for all the evils, real or imaginary, which the country laboured under; but he had no doubt that in no very long time after it was passed, they would confess their error when they saw, too late, that in place of prosperity and content, it produced only anarchy and confusion. He might incur the charge of presumption in thus urging observations upon the House which had been so frequently advanced before, but in a crisis like the present he could not reconcile it to his sense of public duty to give a silent vote upon a question like this. He was sent there by a large and respectable body of constituents. Many of them were friendly to a principle of Reform, but not to so sweeping a measure as this. He felt assured that it must give rise to a continual war of beggary against property, of ignorance against intelligence, of numbers against respectability, and to a perpetual change of established institutions for untried novelties. Under such a system, all who had the real and permanent good of their country at heart must tremble for its future state. However long established its institutions, and however beneficial they might have been found in their operation, this Bill would sweep the whole of them away. He did not oppose the Bill so much on account of its anomalies, its inconveniences, and gross and absurd inconsistencies, as on account of its being a measure calculated to lead on to a state of anarchy, confusion, and ruin, and to inflict the most serious evils upon all classess of society, from the peasant in his cottage to the king on his throne. These were the opinions he conscientiously entertained. God grant, however, that the event might prove them to be erroneous. The system of legislating in these days would seem to imply an opinion that human nature was endowed with perfectibility. Nothing could be more erroneous. Legislation was concerned, not with the perfections, but the imperfections of human nature, and it was the business of the Legislature to devise remedies for these imperfections. It was vain to hope that any thing human could be perfect. How were they, after this measure was passed, to check the progress of reckless innovation? This was the question they ought to put to themselves. It was not his business to answer, it was the business of those who brought the measure forward, and with them let the blame rest of all the evils that might follow from it. Let it not be forgotten that he, and those with whom he had the honour of acting upon this occasion, warned the House and the country of the brink of ruin towards which they were advancing. It was popular outcry, and popular outcry only, goaded on by a revolutionary Press, that gave birth to and urged forward this measure. For his part he would never, by any vote in that House, give his sanction, however humble it might be, to the cause of revolution. If he was in error upon this subject it was a consolation to him that he erred with the most able, the most eloquent, the most experienced statesmen who ever adorned that House. Would that the shades of these great men could appear! Even they would want words to describe their feelings on hearing such a measure propounded. If that great man whose prophetic warnings of the consequences of the French Revolution were so wonderfully verified, if he could now re-appear amongst them, and see what was in progress through that House, his astonishment would be inexpressible. If this Bill should pass into a law, and not produce the evils he apprehended, he would be the first to acknowledge his error and rejoice that he had been mistaken. He feared it was the forerunner of the overthrow of property, of public faith, of the Established Church, and last, though not least, of the Monarchy itself. He was, therefore, determined to oppose it to the last, even though by so doing he might lose the confidence of those by whom he had the honour of being returned to that House, and he did so because he feared it would lead to as bloody and fearful a revolution as ever blotted the annals of the country.

Mr. *Schonswar* said, that in the exhausted state of the question before the House, he would compress the observations he intended to make into a very brief space. Hon. Gentlemen talked of the danger that would follow the passing of the Bill; for his own part he was of opinion that the danger lay on the other side, namely, in refusing to pass it, and interposing themselves between the general sense of the people of England and this great measure, to which they looked as the means of allaying their uneasiness, and dissipating their anxieties. In his opinion, the debates on this question had gone too much into the question of legal antiquity, for every moment that any improvement was suggested, the question was asked, "And would you really destroy all the institutions of your forefathers?" Now, for himself, he was willing to pay every respect to those great men who had preceded the present age; and he was also willing to admit, that according to the knowledge which they possessed, and the necessities of their times, their forefathers had adopted a wise and admirable course. But what had those men in common with the present generation? They lived in the same country, to be sure; and they spoke something like the same language; and they had even gone the length of laying the first stones of a very useful and praiseworthy Constitution; but, merciful Heaven! what a superstructure had been raised on that foundation since their days! What much better matters had the present generation an opportunity of contemplating! It might, therefore, do very well for lawyers or antiquaries to fix their whole attention on the events and the doctrines of by-gone ages; but for the British House of Commons, the true legislative lesson should be found in the passing events of our own time, and not in the records of days that were passed. If they wanted to have a proper idea of the condition and the necessities of present England, let them look at her dense population—let them look at her commerce, her manufactures, and her ships! Let them look at the industry and the intelligence of her population—a population which had within it all the elements of good and evil! Let them, he said, look at all these things; and then let them remember that it was not for the ancient inhabitants of the land, but for the present people of England, that they were called upon to perform the delicate and difficult task of framing a Constitution—a Constitution which he was sure (if this Bill were the model) would be a good one, and which he hoped would be a permanent one. In order to make hon. Gentlemen fully appreciate this argument, he would just request them to remember what the people of England had been only twenty years ago, and what they were now. They looked at the population returns, and they were astonished to see the increase of numbers that had taken place within the last twenty years; but how much greater an increase had taken place in intelligence? That increase had been going on with a tenfold rapidity. If any one doubted it, let him look at the domestic arrangements of the people—at their conversation—at the improvements of their manufactures and the helps to their industry—at the letters they wrote—at their power of comprehending difficult and scientific subjects; and then let him who had investigated all these points say, if he could, that the old Constitution, which had done well enough for our former state of ignorance, was sufficiently enlightened for the present people of England. The Bill, however, had, in fact, been scrutinized everywhere, and in everyway; and he, therefore, certainly was not a little astonished to hear hon. Gentlemen get up in that House and doubt whether it possessed the good will and confidence of the people of England. To show that it did, it was only necessary to appeal to the result of the late general election; and, before hon. Members doubted that criterion, let them calculate the number of constituents who had returned the Opposition Members to Parliament, and the number of constituents who had returned the Reform Members to Parliament, and then say, if they could, that the result of that election was not pretty nearly a unanimous polling of the voters of Great Britain in favour of this Ministerial measure. That the Bill must pass through that House no man could doubt. But the great question was —what would be its fate elsewhere? He, however, for himself, would say, that his own mental answer to that question was one of hope, and not of despair, and at all events he would assert this—that if the Bill should be rejected, or sent back to the House of Commons so mangled and mutilated as to be almost as bad as a rejection, there would be the real danger; and not, as the hon. Gentleman who had preceded him seemed to think, from its passing in its present shape into a law.

Sir *John Brydges*. Having never missed one day attending the Committee on this Bill during its progress through the House, and having seldom trespassed on its time, I feel, at this eleventh hour, I may make a few observations, as it is probable this may be the last opportunity I may have. The noble Lord, the Chancellor of the Exchequer, remarked, upon the former Reform Bill, that no Committee had ever before been so procrastinated. He may be inclined, perhaps, to make a similar observation upon the Committee of the Bill which is now moved to be read a third time. Aware of the noble Lord's remarkable courtesy throughout the progress of this Bill, I feel satisfied he will not charge the hon. Members on this side of the House with useless and vexatious delay. If there has been procrastination, it is obvious this has arisen from a Bill having been introduced of so complicated, so contradictory, and so heterogeneous a nature as I am confident, has not a parallel in the annals of Parliament. If those with whom I sit have delayed this measure, the noble Lord and those who sit around him should feel grateful to us rather than be disposed to blame us, for if they with a breathless haste had passed this Bill without sufficiently sifting its details, they never would have profited by those amendments which have been proposed by this side of the House, and adopted by his Majesty's Ministers. Sir, the present Bill is so full of anomalies, that I do not hesitate to declare they are more numerous, more glaring, and more inconsistent, than any that exist in our present scheme of representation. What, therefore, do we gain by the change proposed? I think nothing; it is a change, but no amendment. But can any one believe that, partial and contradictory as are many of the clauses of disfranchisement and enfranchisement, in consequence of incorrect returns, and different principles of action having been adopted, that should this Bill pass into a law, which God forbid, can any one, I say, believe that it ever can produce a fair and equal Representation of the people in Parliament? I am confident it never can. But, Sir, what it will produce no one can shut his eyes to. Scarcely a night passes but, upon some objectionable motions being rejected, the supporters of them do not hesitate, under defeat, to express their consolation that a Reformed Parliament will, at a future time, give them that which they are now denied. Yes, Sir, the noble Lords and those hon. Members of the present Government who sit around them will live to learn, when it is too late, that a Reformed Parliament, such as they are now desirous of, will overpower them, and will not submit to their dictation, but will take the reins into their own hands; and when in power it will kick down the ladder by which it has ascended; and it will ungratefully turn upon those who, by their measures, have raised these new senators to an eminence which neither birth, education, nor habits of life have qualified them to occupy. Set a beggar on horseback, and we know what will be his career. Sir, I dare not say, I can flatter myself that this measure will be rejected in this House, after what I have witnessed during its progress to this stage, but I do confidently rely upon the high honour and integrity of another branch of the Legislature that, as this measure is in effect the same in principle as the former one, it will not stultify its votes given upon that occasion, but, nobly despising all clamour and unworthy intimidation, it will, in its wisdom, without hesitation, reject a measure which, in my conscience, I am satisfied will, if passed into a law, cause the sun of England to set for ever. Sir, with these feelings, I cordially support the amendment of the noble Lord.

Mr. *Offley* said, he had heard nothing which had the semblance of an argument against the Bill. He hoped this would be the last debate they should hear upon the subject. He was only anxious to rescue his constituents from a sweeping charge of future misconduct, which had been made by some hon. Gentlemen against the people of England. It was said, that the State would be brought into immediate danger, if the Bill passed, in consequence of the increased demands of the disaffected. He must deny that such delusions prevailed in the district with which he was acquainted. Delusion was sent abroad, not, however, by the friends, but the insidious enemies of the measure. The people knew and were convinced, that this measure of Reform must be progressive. They looked to beneficial results from it in every department of the State. They must know little of the people who thought they were influenced by visionary schemes, or were friendly to revolution, or ruin. The Bill was a sweeping measure in one sense, but he was under no apprehension that it would increase the consequence of demagogues or agitators. The same measure which gave the people just rights would sweep into the same insignificance the demagogue and the boroughmongers. Frequent allusions had been made to the French Revolution, but there was one circumstance to which they did not advert, and that was, that in this country the exclusion of the people from their just rights had been long rankling in their breasts, as the privileges of the nobility had in the breasts of the French previous to the Revolution; and to the protracted refusal of any amelioration in the condition of the people was to be attributed, in a great measure, that convulsion, which was attended with such frightful consequences.

Mr. *Hudson Gurney* said, that he disliked the Bill very much, but did not consider himself justified, considering the circumstances of the country, in voting against its being sent up to the House of Lords.

Mr. *Pigott* had heard with considerable surprise the assertion of the noble Paymaster of the Forces, that this Bill would give a preponderance to the agricultural interests in a reformed House of Parliament. He was prepared to show, that the reverse was the fact. The arguments stated on the opposition side of the House had been, he admitted, very courteously debated by the noble Lords opposite; but he denied that they had been answered. He was convinced, that by this Bill, the agricultural interest would be materially injured, and if the House would listen to him for a few minutes, he would endeavour to prove that position. It was alleged, that if sixty-eight Members were added to the towns, sixty-four were added to the counties, and that made the balance equal; but he need not observe to the House that the addition of Members to the counties was only an apparent, not a real, addition of Members to the agricultural interest, for it had been completely shown that, whilst the Members for the new boroughs would be returned wholly by the manufacturing interests, many of these assumed county Members would be returned by the freeholders of large towns. In fact, the number of boroughs swept away which were generally represented by gentlemen connected with the agricultural interest, would be equal to adding 100 Members to the towns. The principle of the Bill was to substitute real for virtual representation, and that principle must be carried into execution in all its details. As they were making a new distribution of Members, they were bound to see that all interests were equally and fairly treated. By the Bill, the agricultural interest, taking the Members for the counties as representing that interest, would send 158 Members,—ninety-four which it sent at present, and sixty-four which it was to receive under the Bill. The town interests, comprising, he admitted, all the other interests in the State, however, would send 336 Members, 271 remaining of the old system, and sixty-five being added. The town population, then, would be represented in proportion to the agricultural population as two to one. The Bill, as the test of the constituency, adopted the combined criterion of population and property. As regarded the first, the total population (according to the census of 1831) of those towns which were now represented, deducting the fifty-six disfranchised towns in schedule A,

amounted to	2,861,000
The amount of the total population of unrepresented towns, having more than 5,000 inhabitants according to a return on the Table	2,893,000
Add for the population of the unrepresented towns under 5,000, and the Welsh towns, ...	1,250,000
	7,004,000

or about seven millions.

According to the census of 1831, the whole population of England and Wales amounted to about 14,000,000. If, therefore, they estimated the importance of the two great divisions of society by their numbers, they were entitled to an equal share in the Representation. The proportions connected with the other test—that of property—would be more difficult to fix precisely; but, for all purposes of approximation, they had a valuable resource in the calculations of Mr. Colquhoun. That gentleman estimated the value of the whole of the private property in England and Wales at 1,814,900,000*l.*; the value of that arising from land and agricultural stock, 1,055,900,000*l.*; of that arising from mines, canals, tolls, timber, specie in circulation, and not belonging strictly to county or towns 250,000,000*l.*; of every other species of property, dwelling-houses, manufactures, foreign merchandise, shipping, fisheries, 509,000,000*l.* If property, therefore, were taken to determine the weight in the Legislature to be given to these two interests, the Representatives of the country ought to be to those of the towns as two to one, or precisely in the inverse ratio of the proportion given in the Reform Bill. He knew not by what rule Ministers had been guided in estimating the importance of these rival interests; but he trusted that he should not again hear it asserted, at least without proof, that the interests of agriculture had in this Bill, been sufficiently considered. If it was necessary, that the ancient system should cease to exist, those hon. Members who had been returned to that House by the agricultural interests should at least take care that in the new distribution of Members, that interest received a full measure of justice. If through negligence or party blindness they were led into a betrayal of their trust the consequences might be destructive to their constituents. This, he feared, was no vague apprehension, for it was already openly asserted, that one of the first measures to be proposed to a reformed Parliament would be to establish a free-trade in corn; in other words to ruin the whole existing race of landowners and farmers, and on their downfall to exalt the trading interests. Other levelling principles would be sanctioned, the Church, primogeniture, and the hereditary nobility, would quickly follow the agricultural interest, and an entire new state of society must be the consequence. He must, in conclusion, apologise for having addressed the House, which he would not have done had there been a greater number of Members present, and more practised speakers than he was, ready to deliver their opinions.

Colonel *Torrens* not having, during this Session, expressed his sentiments upon the great measure of Reform, trusted that the House would indulge him while he stated the reasons which induced him to give his most cordial support to the third reading of the Bill. He would not follow the hon. Member who had just sat down into any disquisition as to the manner in which the provisions of the Bill affected, in different proportions, the agricultural and commercial interests. He (Colonel Torrens) believed, that these interests were identical. He was persuaded that any measure which injured agriculture would equally injure manufactures and commerce, and every legal provision which was injurious to this branch of industry would be equally injurious to agriculture. This part of the question he would dismiss as altogether unimportant, and as having no bearing upon the great principle of Reform. He had considered the objections to Reform, and particularly those which had been urged so elaborately in the Resolutions of the right hon. Gentleman, the late Secretary of the Admiralty. When he (Colonel Torrens) considered the zeal of that right hon. Member against Reform, his ability, and his great critical acumen, it was really surprising how few and how futile were the objections which that right hon. Gentleman had been able to urge against the Bill. The right hon. Gentleman himself admitted, that his objects were valueless, in as much as he failed consistently to apply them. He objected that the principle of population was violated, when Gosport and Croydon, with a population of 12,000 each, were not enfranchised; and yet, in mockery of his own objection, he himself violated the principle of population to an infinitely greater extent, by voting against the enfranchisement of the tower Hamlets containing a population of 300,000. The right hon. Gentleman objected that the Reform Bill did not enfranchise Trowbridge, Doncaster, Tunbridge, and Margate, with a population of 10,000 each; and yet, when the metropolitan districts were under consideration, he refused to enfranchise Marylebone and Finsbury, having each a population of upwards of 200,000. The right hon. Gentleman involved himself in other inconsistencies. He complained of the anomalies of the Reform Bill in not enfranchising Gosport and Kingston-upon-Thames, though paying assessed taxes to the amount of 2,000*l.*; and yet, in derision of himself, he objected to the enfranchisement of Finsbury, paying assessed taxes to the amount of 200,000*l.* The right hon. Gentleman had so completely refuted by his votes, and set at nought by his conduct, his own objections, that he (Colonel Torrens) had a right to regard them as valueless. He would next direct his attention to the objections urged by the right hon. Baronet, the member for Tamworth, on the debate of the metropolitan districts. The right hon. Baronet contended, that, in the metropolitan districts, the 10*l.* franchise was equivalent to universal suffrage, that it completely placed the power of deciding the elections in the hands of the working classes. The right hon. Baronet contended, that though the working classes ought to be represented somewhere, they ought to be represented in small boroughs, and not in the metropolis. He totally dissented from that proposition. The working classes of the metropolis were in a peculiar manner qualified to exercise the elective franchise in a beneficial manner. In a small borough a working man could not be independent of his employer, because the number of employers were so few that there could be little competition. But in the metropolis the number of masters was very great, and, therefore, the working man was not dependent upon the favour of any individual employer. The working classes in the metropolis were, beyond all comparison, more independent than the same class in an inconsiderable town, and were, therefore, in a peculiar manner qualified to exercise the portion of the elective franchise which might be conferred upon the working class. It was frequently urged that there was no necessity to reform the Representation, because the existing system had worked well. But he would ask where it was that the measures of an unreformed Parliament had worked well? Was it in Ireland? Was it in the West Indies? Was it in the amount of the debt, of the taxes, or of the poor-rates? Was it in the agricultural districts, where the rural population were serfs and helots on the soil? Was it in the manufacturing towns, where the system of infant slavery prevailed? It was mockery and insult to say, that an unreformed Parliament had worked well. Throughout all the departments of the national interests it had worked ill, and if its operations were not speedily suspended, it would work destruction. Another objection—an objection which had been repeated a thousand times, and presented under a thousand forms, was, that this extensive measure of Reform would lead to a democratic change, amounting to Revolution. That objection had been urged with more or less force by every hon. Member who had spoken against the principle of the Bill. That objection was, indeed, the pivot upon which the whole opposition to Reform turned. He would undertake to show that this objection was groundless. He would undertake to show that those who contended that this measure of Reform would lead to democratic change, inverted the natural order of events, and fell into the error of mistaking the effect for the cause. In the sequence of events Reform was the consequent, not the antecedent. It was not an efficient cause; it was a necessary effect. It would not produce the democratic change which was so much dreaded, because it had itself been produced by that democratic change which the progress of society had already completed. It was, therefore, erroneous and illogical to consider this measure as an original cause of change, when it was itself the effect of that great moral change which the power of knowledge already had brought forth. Whoever would attentively consider the progress of opinions, and the course of events, would arrive at the conclusion, that, before that measure was introduced, or even considered, it had already become impossible any longer to govern this country by means of a nomination Parliament. It was in vain for patrons and for nominees to lament or to resist the inevitable result. It was not for human institutions to be immutable—it was not for human power to be the same yesterday, to-day, and to-morrow. Society was essentially progressive. As our late colonies advanced in wealth and population, a change in the long-established relations between them and the mother country became inevitable. No one would now deny that the object of the Tory war, undertaken to avert this change, was unattainable. Had the Americans failed of success with a population of 3,000,000, they would in a few years have renewed the contest with a population of 6,000,000; and if again unsuccessful, they would now again have renewed the struggle with a population of 12,000,000. No one would now deny that the defeat in the first instance was to England the least calamitous result in which this Tory struggle against change could have terminated. The lapse of half a century had had a most remarkable effect, not only in softening down, but in wholly eradicating, those arbitrary principles of Government upon which the war against American liberty was madly undertaken, and disgracefully pursued. It would now be deemed as rational in a King of England to repeat the attempt of Canute, to give law to the ocean, as to imitate the example of George 3rd, in endeavouring to fix systems of policy and forms of Government suitable to one stage of improvement, but inapplicable to a more advanced one. As nations improved in civilization instances were constantly occurring in which resistance to the progressive movement of society produced disastrous concession, without averting change. The resistance of the Tory party to the rising spirit of liberty in North America occasioned the most calamitous war in which this country ever was engaged. And a too pertinacious resistance of the same party to the nation's demand for Reform, though it should even stay the popular movement, might yet terminate in one of the most terrible revolutions which ever desolated the earth. But surely it was not too much to expect that the intelligent leaders of the Tory party would be enabled to read the signs of the times. If history was philosophy, teaching by example, surely it was not too much to expect that the intelligent leaders of the Tory party would abandon, before it was too late, their unavailing resistance to Reform, as they had already renounced the obsolete principles of Government upon which the first American war was undertaken. An Eldon Tory of the highest water would now be free to confess that the progress of America to the rank of an independent nation could not have been prevented even by our success in that war. But surely it was not merely on the single question of coercing colonies advancing into nations, that the principle of blind and irrational resistance to inevitable change would be abandoned. Time, the despotic innovator, was working on the internal frame and functions of society a great but silent change, which no resistance could arrest, and to which existing institutions must conform, in order to be preserved. Wealth and knowledge were the elements of power. Now, the active members of the Tory party, the merely practical men engaged in public life, however disinclined to speculate upon the progressive character of human society, must see and feel, from all that is passing around them, that the aggregate wealth and knowledge of the middle class now exceeds, in a constantly increasing proportion, the aggregate wealth and knowledge of the upper orders. And though they should be wholly unaware of the latent working of events, and of the changing proportions in which the elements of power were distributed, yet they could not be insensible to the fact, that they encountered from the middle classes a more active competition than formerly, and that they were gradually losing that undisputed lead in the country which they once possessed. The cause of the declining influence of their order they might not have traced, but of the existence of the effect they could not be unaware. The more intelligent Members of the Tory aristocracy, however — those who combined speculative with practical ability—those who could philosophize as well as act, they would not only perceive the effect, but comprehend the cause. They would be impressed with the conviction, that, in a country increasing in wealth, and advancing in knowledge, it was morally impossible to preserve the exclusive influence of an oligarchy from being gradually encroached upon, and ultimately overborne, by the growing power of the community at large. They would not squander their strength in a hopeless struggle, nor continue a game in which the chances against them were constantly increasing. Instead of holding themselves apart, as a distinct and separate order, having interests different from, and opposed to, those of the community, they would unite themselves with the people, and head the forward movements they no longer could resist. In this new sphere of action, their superior wealth, and their leisure for acquiring superior knowledge, would still secure to them important advantages, and they would continue to be the natural leaders of the country by ceasing to be a faction opposed to improvement. May such be the tranquil, the honourable euthanasia of the Tory party! He should give his humble but most cordial support to the third reading of this Bill, wishing that it might, believing that it must, become the law of the land.

Mr. *Mackinnon:* In rising, Sir, on the present occasion, my intention is, to state to the House my reasons for differing from the opinion of the Committee which has passed the several clauses of the Bill. I trust, in so doing, I may not be deemed guilty of presumption. There are so many Gentlemen here, whose talents and experience qualify them better than I am qualified to make any strictures on the several clauses of the Bill, that some excuse may be necessary to justify my rising to utter my sentiments on this momentous question. No hostility to a moderate Reform—that is, such Reform as will not endanger the Constitution—is entertained by me. I am not personally connected with any close boroughs in schedules A and B; and, as far as any interests of mine are concerned, it is a matter of perfect indifference to me whether these boroughs are partially disfranchised, or entirely swept away. So far, therefore, my opinion cannot be biased by interested motives or personal advantage; nor have I any desire to create delay, or to make an opposition for the purpose of perplexing the framers of this Bill, which might, by some, be styled a factious opposition. Every one, however, must agree, that, on a subject of such importance, the greatest caution is necessary, and the maturest deliberation given to the question that the nature of the subject will admit.

I cannot here refrain from expressing my thanks to the Chancellor of the Exchequer for the mild and conciliatory conduct he has pursued throughout; and also for his readily adopting two motions of mine made last year on the subject of this Bill (the only two alterations of importance made)—one for adopting the census and taxation of 1831, instead of 1821; and the other for allowing towns which were to obtain the elective franchise to appoint their own returning officers, instead of those officers being nominated by the Sheriff of the county. Sir, after the sentiments expressed in favour of some Reform from John O'Groat's house to the Land's End—from the Giant's Causeway to the Isle of Thanet—it is impossible to deny that some Reform is called for by the public opinion of the country, and that some change in the Representative system must take place.

On this account it is that I have taken the present opportunity of stating my sentiments, because I am not adverse to the principle of Reform, but to the particular clauses of this Bill, which, by destroying the equipoise between the three constituent parts of the Legislature, must destroy the Constitution. I shall endeavour to avoid the arguments that have so often been repeated against the principle of this measure of Reform, which at this time would prove

> "Tedious as a twice-told tale,
> Vexing the ears of drowsy men;"

and I shall endeavour to bring forward, if possible, some fresh arguments on the details of the Bill.

On taking a retrospective view of the Representative history of this country, and looking at the period which preceded the Union of England with Scotland, it appears that the number of Members for England and Wales was 513. From the period of the Union with Scotland to the present hour, the wealth and the population of this portion of the empire (England and Wales) has increased in an extraordinary manner. To enter into any details or statistical accounts would be useless: the fact cannot be denied, and I shall state it generally, to illustrate my argument.

The population has increased nearly three-fold; and the amount of wealth and of capital (which terms may be used indiscriminately on the present occasion) to ten times the amount that it was 125 years ago. Now, with a population three times as great, and an amount of capital ten times greater — to the argument it signifies nothing whether it be little more or a little less—to diminish the number of Members for England and Wales, at the time that you take wealth and population, or rather the compound ratio of both, as your leading principle of Representation, seems rather an absurdity! particularly as not a single argument or reason has been assigned why the number of Representatives for England and Wales should in any manner be decreased.

The noble Lord opposite has been fond of quoting Mr. Pitt's authority, as an advocate, at the early period of his life, for Reform; but what says Mr. Pitt? Why, he distinctly states, in both his speeches on Reform, that it is highly inexpedient to lessen the number of Representatives; and this he does not state on any particular occasion, but gives it as his deliberate opinion on two occasions. In a speech made in 1785, two years after the first statement made on the subject in 1783,—Mr. Pitt observed—'He would not 'say what number of Members ought to be 'added to the counties. It was true, he 'thought the House would be more numerous than he could wish; but still it 'were better that it should be so. This disfranchising of boroughs (in which corruption had been proved), would be the 'work of time; it would appear to be 'what, in fact it would then be—an act of 'justice, not of whim, party, or caprice; as 'it would be founded, not on surmise, 'but on the actual proof of guilt.' Again, 'By his proposition he meant to lay it 'down as a first principle that the number 'of the House ought to remain the same: 'and that the Reform of decayed boroughs 'ought not to proceed to disfranchisement.' And also, 'He (Mr. Pitt) confessed there 'was something plausible in the idea of 'abolishing those places known by the 'favourite appellation of close or rotten 'boroughs, which in some degree disfigured the fabric of the Constitution, 'but which, he feared, could not be removed without endangering the whole 'pile. He was afraid to cut up the roots 'of this influence by disfranchising the boroughs, because he was afraid of doing 'more harm than good, by using a remedy 'that might be thought worse than the 'disease. Gentlemen had undoubtedly 'read that, of the boroughs which used 'formerly to send Members to Parliament 'seventy-two had been disfranchised; that 'is, the Crown ceased to summon them at 'a general election. After the Restoration, thirty-six of these petitioned to be 'restored, and their prayer was granted; 'but the other thirty-six, not having petitioned, had not recovered their lost franchise.'*

Although the present scheme of selecting towns or districts to return Members to Parliament, according to the compound ratio of wealth and population, appears, at the first glance, plausible, yet, on further reflection, it is liable to many objections: the leading objection is, that sufficient importance in the Representation is not given to property or wealth. A poor man, in a place where there is much wealth and many opulent inhabitants, has as much influence in the election of the Representatives for that place as a rich man, while the rich man has merely one vote in a poor district. Is this according to the fair spirit of representation, or due regard for property? Besides, if you lay down this as a principle for places to elect Representatives, will it be satisfactory to Liverpool, with a population of 140,000, and great wealth, to send only two Members to Parliament, whilst Eversham, or any other borough out of schedule B, with not one-fiftieth part of the population, or one-hundredth part of the wealth, sends the same number? What will Ireland say to such a system? Will she remain satisfied with 105 Members out of 658, while she possesses one-third of the population of England? If this principle, thus laid down, be equitable, it ought to be made general. If not made general, how can it give universal satisfaction? If it does not please, we must leave the population of the empire in a discontented state, or of constant change; this Bill, therefore, instead of quieting the minds of the people, of fostering a kind feeling between the several classes of society, and of restoring confidence, will have a totally different effect.

There are many Gentlemen amongst those whom I have now the honour of addressing who admire the wisdom of Burke, who, I have reason to think from their speeches, study his writings with much attention; on whom his opinions have considerable influence, carrying that authority to which the talents and experience of that distinguished individual fully entitle him. It appears from his writings, however, that, after the first breaking out of the French Revolution, in 1788, the system of representation intended to have been adopted by the Republicans in France was similar to that now proposed in the Reform Bill as its basis. The plan suggested at the time was, that Representatives should be sent by towns or districts in the compound ratio of their wealth and population. On this plan, which was a favourite scheme with the French Revolutionists, Mr. Burke remarks as follows:—

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* Hansard's Parl. Hist. vol. xxv. pp. 436-8.

> "The political dogma, which upon the new French system is to unite the factions of different nations, turns on this, 'That the majority, told by the head of the taxable people in every country, is the perpetual, natural, unceasing, indefeasible sovereign; that this majority is perfectly master of the form, as well as the administration, of the State; and that the Magistrates, under whatever names they are called, are only functionaries to obey the orders (general as laws, or particular as decrees) which that majority may make: that this is the only natural government; that all others are tyranny and usurpation.' In order to reduce this dogma into practice, the Republicans in France, and their associates in other countries, make it always their business, and often their public profession, to destroy all traces of ancient establishments, and to form a new commonwealth in each country upon the basis of the French *Rights of men*. On the principle of these rights they mean to institute in every country, and, as it were the germe of the whole—parochial governments, for the purpose of what they call equal Representation. From them is to grow, by some mode, a general Council and Representative of all the parochial governments. In that Representative is to be vested the whole national power; totally abolishing hereditary name and office, levelling all conditions of men (except where money must make a difference), breaking all connexion between territory and dignity, and abolishing every species of nobility, gentry, and Church establishments, all their priests and all their Magistrates being only creatures of election, and pensioners at will."*

There is no need at present to dwell on the destruction of corporate rights meditated by this Bill, as this must be apparent to all; I will not, therefore, detain the House by dwelling longer on this subject, and only say, before I proceed to others of great moment, that the same arguments which justify the disfranchisement of Gatton or Old Sarum would equally justify the the abolition of any corporate rights in the kingdom—this would justify the abolition of the title of the Duke of Norfolk, or any other nobleman. I will advert to what the noble Lord, the Paymaster of the Forces, in his opening speech, in which he stated, that schedules A and B were the main pillars on which this Bill was supported. I give the noble Lord full credit for his assertion, but will make one in my turn, which is, that, if you take away the right of voting in the boroughs included in schedules A and B, and give the elective franchise to the 10*l.* voters, which is now adopted by the Committee, you destroy the pillars that support the Church and the House of Lords in these realms. Sir, I can naturally enough enter into the feelings of those who think it a hard case that the Duke of A. or Mr. B. should nominate Members to this House, whilst populous towns like Manchester, Leeds, and Birmingham, are not represented. The natural observation of every man to whom such a case is put, will be, that such an anomaly ought not to exist. Let us, however, penetrate a little beyond the surface, and ascertain how far the Reform Bill, as the clauses have passed the Committee, will have the effect of entirely altering the relative importance or influence of the several constituent parts of the Legislature.

For the purpose of making myself clearly understood, I must be allowed to call the attention of the House for a few seconds to the state of this kingdom some centuries ago. In former times, the great bulk of the landed property (and there was then but a small amount of personal property, arts, manufactures, and commerce having made little progress, and steam machinery being unknown, appertained to the Barons, the Church, and the Crown; the property in land of these several parties, at least of the Crown and Barons, gradually melted away, and a middle class rose into existence. At the Reformation also, the property of the Church, as the noble Lord, the Paymaster of the Forces, and his family knew full well (not to their cost), was lessened in a very material degree. No power then existed in the State by which the prerogative of the Sovereign could be checked, and Henry 8th, his successors, Mary, Elizabeth, and James, reigned almost without control. As the middle class increase, the Barons lost their territorial possessions, and the royal authority gradually decreased. After the Revolution, as it is called, of 1688, the power to reject bills sanctioned by the Houses of Parliament was exercised but once by William 3rd; since the House of Brunswick have formed part of our happy Constitution, the use of that power (the King's negative) has been discontinued. The indirect influence of the Crown has been substituted for it in both Houses of Parliament, and whatever has passed both Houses has always received the royal assent. I stated this to show that the direct power of the Crown, as one of the three branches of the Legislature, or of Parliament, has wholly ceased, and influence has superseded the *veto* exercised by the arbitrary race of the Stuarts, and the despotic Monarchs of former times. The only power, therefore, at present that remains, or is possessed by the Crown, in either House of Parliament, particularly in this House, arises from the influence of the Crown, or Sovereign, over those whose property, or whose rights of corporate or other franchises, enable them in the boroughs to return Members to this House.

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* Thoughts on French Affairs, Burke's works, vol. vii. p. 19, 8vo. edition.

Let this indirect control or influence—call it by what name you please—which has been so long exercised, be once annihilated, as it most certainly must be by the present Bill—which influence has been substituted for the despotic sway exercised by the Stuarts, and how, in such a case, is that power which it is for the Crown to possess to be maintained? What possible connexion will there exist between a reformed House of Commons—of individuals sent to obey blindly the dictates of their several constituents—and the House of Peers and the Crown? In such a House, where demagogues only will be Lords of the ascendant, where (I mean no disrespect to) the members for Preston, for Middlesex, and for Kerry, will be in the fulness of their glory, what chance will the Sovereign or the Peers have of being heard or attended to by Members over whom they can have no influence whatever? They must either implicitly register the edicts of such a House of Commons; or, if a refusal be ventured on, what will be the consequence? Up will start one of the new demagogues—I must say, new demagogues, or I shall get into a scrape—and what will some of these worthies assert? What, but that the Throne is a pall of velvet and a chair! What, but that the House of Peers is 400 country gentlemen, many of them with encumbered estates, of from 5,000*l.* to 20,000*l.* a-year? And what will be their conclusion? Why this: Let these establishments be voted useless, and abolished! As to the Church of England and its property, that will fall, as a matter of course. Where would be found any power in the Crown or the Peers to oppose the edict for its abolition, coming from the delegates of the 10*l.* voters, backed by the whole of the lower class and physical force of the country? All the counterbalancing powers now existing in the King and upper House will vanish in a reformed Parliament; and, consequently, the Constitution, which, if I mistake not, consists in a proper equipoise of the three great powers in the State, will be destroyed. It seems to me impossible to elect a Parliament, such as must be elected if this Reform Bill passes, that will not, within a very few years, absorb the entire power in the State, and entirely control, if not dispense with, the authority of the other branches of the Legislature.

A Parliament, constituted as a reformed House of Commons under the provisions of the Bill that has passed the Committee must be, is likely to be influenced by popular clamour more than by public opinion. The Members for the towns or cities will preponderate over the Members for counties, and the 10*l.* voters will preponderate over the respectable householders; thus the 10*l.* voters will have the ascendancy. With the indulgence of the House, I will, in a few words, give an illustration of my position. Let me take an hypothetical case, not likely, perhaps, ever to occur, yet, however, in the possibility of human events, let us suppose a prince of the blood rendered unpopular in the country either by incorrect statements made against him from prejudice, or popular clamour, or by other causes over which he had no control, and which might happen to any man; suppose him to become next heir to the throne, and so circumstanced, that a violent outcry was raised against him by the public Press: every one must be aware of the talent, zeal, activity, and perseverance, with which the public Press can forward any favourite object. A violent dislike, by means of the

Press, might be excited in the minds of the 10*l.* voters, and they might return as Members to this House no person unless he gave a pledge to vote for the exclusion of the individual in question from the throne. The well-thinking part of the community might differ in opinion from the 10*l.* voters; part of the people then would be for the exclusion, the other part against it: the Members of the House of Commons would be mere Representatives of the parties who sent them; a pledge had been given, and it must be redeemed; and they would persevere in voting the exclusion. This may be an extreme case, I admit, but yet it is far from an impossible one. What would be the remedy in such a Parliament, and with such a vote given by the Commons of England? It appears to me that the results might lead to greater inconvenience, and prove more dangerous, than at first may be imagined, The 10*l.* voters, particularly in large towns, are more liable to be excited, and to be influenced by popular clamour, than any other people. Over such a population artful and designing men can obtain great influence. The learned author of the *Esprit des Lois* has asserted, that the liberty of the Roman people was gone when the rabble of Italy was admitted to vote for the elections at Rome.

One of the most powerful arguments adduced in favour of the present Bill, at least, one that seems to be much insisted on out of doors, and has, I believe, considerable weight with some Members of this House, is, that, if the present Reform Bill is not conceded to the wishes of the people, a commotion will take place: in short, that if these several clauses are not allowed to pass into a law within the walls of Parliament, it will be carried with a vengeance from without. It is asserted by some, that fearful consequences will ensue. If every species of Reform was withheld from the people, the assertion would probably be realized; but, if the passing of this Bill only be the point at issue, I think I may venture to assert, that its rejection will create little or no disturbance. Public opinion is for a Reform, but popular clamour only is for the several clauses of the present Bill; and if his Majesty's Ministers confound, in the present case, public opinion with popular clamour, they deceive themselves as egregiously as those noble Lords who, last autumn, voted for the Bill mistook, when greeted with huzzas, the shouts of the mob for the voice of fame. Let me not be misunderstood: I am one of the most strenuous advocates for public opinion: so far from advising that the voice of the public should not be heeded by the Legislature, I think, and I assert, that it is the first duty of a legislature, in any civilized state, to attend to public opinion: but I cannot imagine that this sentiment in any country can be mistaken for popular clamour by any reasonable person who has not lost the faculty of judgment. Public opinion emanates from the most upright and well-informed individuals in the community, it is based on intelligence and is supported by the middle class: popular clamour arises chiefly from drunken or infuriated mobs, and is confined to the lower classes. These two things are as distinct as light from darkness. By a singular, though not uncommon, perversion of the human intellect, they are often confounded together. The example of the late French Revolution of July, 1830, is triumphantly quoted by the advocates of this Bill, who cry out, "Look at the events in France! see the result of not acceding to the wishes of the people! the Reform Bill must be passed, to avoid a similar state of things in this country!" There is not, however, the slightest similarity between the two cases—they are totally different in every respect. The Revolution of July in France was commenced and accomplished by public opinion. It was a combination of the middle classes assisted by the physical forces of the lower classes. There is scarcely an upper class in France. The peerage has little property and less influence, and is only a name. The resistance to the ordinances of Charles 10th in France was effected by a combination of the wealth, talent, information, population, and mass of the people—it was, in short, public opinion. All the leading bankers and merchants and men of property in Paris, were arrayed in a firm phalanx against the ministers, who had nothing to rely on but the armed force, and the ordinances. M. Lafitte, and a thousand other celebrated men, were in open hostility to the measure. It was public opinion in favour of the charter and the deputies. Is there any similar feeling in the people of this metropolis, or of the country, with regard to the several clauses of the Reform Bill? Look at the declaration of the bankers, merchants, and citizens of London—look at the sentiments of the leading bankers and merchants who are Members of this House—look at the sentiments of the same class in the country! In Great Britain, the case is wholly different; a Reform is expected and desired by public opinion, but the several clauses of this Bill, or rather the cry of "The Bill, the whole Bill, and nothing but the Bill," is got up and supported by popular clamour only. To argue or to assert that Reform is not demanded by the public voice, would, at the present day, be contrary to the fact; such is, undoubtedly, the case, as appears from the display of public feeling; but, to argue or to assert that the present Reform Bill, with all its clauses, is in any manner sanctioned by public opinion, would be to assert as monstrous an absurdity as can well be imagined. Many of its clauses are most unpopular: the qualification clause is considered too low, and as giving too great a preponderance to the lower classes, to the exclusion of the other classes in the community. By nine out of ten persons in the country this Bill has been misunderstood. It has been imagined to be a sort of nostrum and universal panacea for all evils past, present, and to come, that would heal all the wounds inflicted on the Constitution, and enable it to bear with its increasing infirmities. Should the Legislature yield to popular clamour, and pass this Bill from apprehension of popular tumults being the consequence, they must, on the same principle, be ready to assent at some future period, not far distant, to Universal Suffrage, Annual Parliaments, and Election by Ballot, for the lower classes will be much more clamorous, and infinitely more anxious, to procure that species of radical Reform than the present Bill. If this Bill pass into a law, the people in the country who are anxious for the measure will naturally expect great benefit from it, and when they find that no advantages accrue to them in consequence of it, they will naturally think that it is because the Bill does not go far enough, and they will unite themselves to the radical Reformers to obtain a more efficacious system of Representation. In short, if the Legislature yield any thing from apprehension of tumult, it will deserve to lose the respect of the country, and will be more exposed to commotions and threats than before. The usual result arising in almost all circumstances of life, from yielding from apprehension, or giving up from pusillanimity, is only to provoke greater outrages than are prevented by the base submission. Will the population of the country remain satisfied when they find no relief is obtained from that distress at present so complained of? Is there a single act of retrenchment or economy, of amelioration in the laws, to be achieved by a Reformed Parliament that cannot be effected by the present one?

The difficulty which will arise under this Bill, not to say the impossibility for the Ministers of the Crown to secure seats in this House to enable them to carry on the business of the nation, must be apparent to the most superficial observer? How can a Member of the Cabinet—how can a Privy Counsellor, who, by virtue of his oath, is obliged to give his Sovereign the best advice in his power, reconcile it to his conscience to give a pledge to his 10*l.* voters, on any question of popular excitement, that may, and such questions undoubtedly will occur? Suppose, on the eve of a general election, a popular excitement were to take place amongst the 10*l.* voters on any subject—are these to obtain a pledge from the Ministers of the Crown, the Members of the Cabinet, who may be in this House, to promote certain measures? In cases of excitement, either such pledges must be given, or the Ministers will not be returned to Parliament. Really, under such circumstances, it seems difficult to say how a Member of the Government is to retain office, unless, indeed, the suggestion is adopted, to give them seats in this House by virtue of their official situation.—[Lord *Althorp* could assure the hon. Member that there was no such intention on his part, or on that of his colleagues.]—I am glad to hear that for I do not think that the country will, relish such a measure? If his Majesty's Ministers do not intend, then, as it has been reported, to bring in a bill to enable the Members of the Cabinet to have a seat *ex officio* in this House, the most important consequences will follow. From the state of thraldrom in which the Ministers will be kept by the 10*l.* voters in this House, the instability of any Government will be the necessary result, and such an instability in the Government must have the worst effect on the public funds, and on all the international relations of the country. How is the public credit to be supported, unless a security be given for the levying of taxes to the amount of the annuities due from the public? Will a reformed Parliament, the Members of which are sent here to represent the 10*l.* voters, not be directed to lessen one tax after another? First, the assessed taxes, then the Excise, then the Customs, and so on, will be put an end to, until the security for the payment of the dividends on the public funds will be endangered. I do not assert such will be the case, but I cannot help being of opinion that great risk of such an event will be incurred if this Bill pass into a law.

What do the Gentlemen who are so anxious to promote the success of the several clauses that have passed the Committee propose to themselves if the measure is carried and the Constitution is destroyed. Do they anticipate the gratitude of the country?—do they imagine their party will be firmly secured, or themselves raised in public estimation? If they do, they deceive themselves most grossly. Let them look at the gratitude of the Catholics of Ireland to the late Government for the boon of emancipation. If they, the promoters of this Bill, stop short after the Bill is carried, they will be left nearly alone; if they proceed, they must continue to obey the dictates of popular clamour, until nothing of the Constitution remains. Without meaning any disrespect to the Paymaster of the Forces, or making so bad a simile as to liken him to Sampson, or this House to the Philistines, it appears to me that he is pulling down the fabric of the Constitution, and involving himself, his colleagues, and his successors in office, in one common destruction. One of our Poets says—

> "Time's old cottage, battered and decayed,
> Lets in new light through chinks that time has made."

Is not the noble Lord satisfied with the new lights already let into this House; if more lights are let in, the place will become too warm to hold us; it is rather hot already, if more lights come, the House will be in a blaze! Let us, however, look forward to a brighter prospect, the other House has always been considered as the *murus aheneus*, alike opposed to the encroachments of the prerogative and the insidious designs of the factious and discontented. Let us hope, then, on the present occasion, it will perform its duty, and defend with firmness the citadel of the Constitution intrusted to its care. Let the Members of that House only be firm, and they will be able effectually to counteract the disaffected who would assail them from without, and the pusillanimous who would work upon their fears from within; let them do this, and they will merit the everlasting fame of having preserved inviolate the British Constitution, obtained by the blood and exertions of our ancestors. I conclude by expressing a hope, that this Constitution will continue to exist long after the animosities arising from questions of Reform shall be consigned to oblivion, and the discussion itself become the subject of history.

General *Palmer* said, that having failed in his endeavours to speak upon the question in the last Session until just at the close, and in an almost empty House, he was anxious to address it once more upon the subject; insomuch that he still viewed it in a different light from all who had spoken in the debate, and above all the right hon. Baronet, the leader of the opposition, whose strong objections to the Bill he hoped to answer to the satisfaction of the House and country. He must first observe, that the coalition of parties in the present Ministry had exposed them to the attacks of their opponents, who had not failed to take the advantage of it. For instance, the most severe and effective speech of the right hon. Baronet against them had been in answer to the noble Lord, his former colleague, who, in the debate in the last Session, had charged him with inconsistency of conduct, when the right hon. Gentleman with great warmth and eloquence, complained of the injustice of the attack by those who, having hitherto with himself opposed all Reform whatever, had suddenly been made converts to the revolutionary measure of the Whigs. But, however plausible the argument, what was the fact? The noble Lord and others, in becoming parties to the Bill, had proved the sincerity of their conversion, and redeemed the errors of their former policy; but where was the consistency of the right hon. Baronet, in cutting the throat of the Tory party upon the Catholic question, and crying murder at his own act, in his speeches against the Reform Bill? For, whether it was the necessity of the Catholic emancipation, or of agreeing in opinion with the Duke of Wellington, the noble Duke and himself, in carrying that measure, had opened the door to Reform, by thus breaking the tie betwixt the Tories and the people, which had so long excluded the Whigs from office, and prevented the adoption of the liberal system of which Catholic emancipation was a vital part; but still, the right hon. Gentleman might have saved both his character and place, and have justified the warm defence of his conduct by the Whigs against the reproaches of the Tories, had he only followed the course which his abandonment of their cause had called for, viz. in persuading the Duke to bring forward the measure of Reform, or leaving him to the consequences of his own declaration against it; when, consistently with his vote on the Catholic question, he might have followed the example of his former colleagues in becoming a Member of the present Government, and continuing to take the lead in that House for which his talents and practice had so well fitted him. But, instead of this, what was the fact? The noble Duke and the right hon. Baronet were sent for by the late King to form a new Ministry, and accordingly undertook the Government betwixt them, without the aid of either party or the people; when, having been soundly beaten by the Whigs upon the great question of their policy—the repeal of the Test Act, instead of resigning office, and leaving the field to their opponents, according to the practice in political warfare, they turned the tables on the Whigs by stepping into their shoes, and carrying their own question of Catholic relief against the Tories; and here, if the noble Duke, who had thus taken up the cause of the people, had only stood by it, the Whigs, who had proved their forgiveness of the march he had stolen on them, by their zeal on the Catholic question, would have enabled him to carry Reform in the same triumphant manner; but, for whatever reasons, the noble Duke and right hon. Gentleman determined to retrace their steps, and to win back the hearts, or at least stop the mouths of the Tories, by their sweeping declaration against Reform; when, having soon discovered their mistake, they as soon changed their minds again, and had now become half Reformers, in the hope of returning to office upon the backs of the party no longer able to carry them. Hitherto the Tories, being consistent in their conduct, had obtained credit for the honesty of their feelings, and a real apprehension of that danger to the Protestant religion which the people had so long believed in. But the noble Duke and right hon. Baronet, in carrying the Catholic question without abandoning their Tory principles, had thereby dropped the mask, and opened the eyes of the people to the fallacy of the system they had so long supported; for having at last removed all the unjust and invidious distinctions between the Catholic and Protestant people, what reason could they give for withholding the same justice between their respective Churches, either in restoring the Catholic Church to her former rank and property, or placing both upon the same footing by that Reform of the Established Church, which the necessity of the case and the voice of the people of both religions had so loudly called for? For, did they not all know that the origin of tithes was for the maintenance of the poor, and that the long existence of an abuse was no ground for its continuance, however natural in the members of the Established Church to defend the property they had so long enjoyed; the fact being, that when they turned Reformers, and abandoned the mother Church, in getting rid of her restraints they held fast to her honours and emoluments? And this was the root of the evil; for, as the Catholic priests were precluded marriage, and, thus shut out from human ties, and the consideration of worldly objects, their wealth was expended in the charitable purposes for which it was intended; and it was to their abandonment of the religious obligation which the Catholic Church had wisely imposed as the only check against the misapplication of her wealth, that the general dislike of the people to the Established Church of England was to be ascribed. Let those who doubted it look at Scotland. There, the Established Church had no enemy in the people, because she was not their enemy by her subservience to the Crown and Government; her Ministers were respected, because their habits, conduct, and stations in life were consistent with the duties of their calling—because they were no more than fairly paid for their labour, and because the moderate preferment which they looked to was the result of merit, and not of birth, connexion, nor political intrigue; but, lastly, and above all, because their Church had neither burthened the people with tithes on one hand, nor poor-rates on the other: whereas in England, the whole wealth of the Catholic Church, which all other sects of Protestants had abandoned with her restraints, had ever since remained in the hands of the Crown, or the Aristocracy, for the provision of its younger branches, who, with only a life interest in their preferment, and with wives and families to provide for, saved all they could, naturally, for themselves, but unhappily for the country; insomuch that their wealth, which formerly maintained the poor, no longer supported them, and their charity, that once supplied the wants of others, now began and ended at home. This was the true cause of that continual increase of Dissenters which, under the same system, would soon reduce England to the state of Ireland, where the people were burthened with an immense Church establishment, which might be almost said to have none to pray for but itself. Thus far upon the question he hoped he had answered the argument by fact, and had shown, that whatever the fears of the right hon. Baronet in behalf of religion or the Constitution, it was too late to tell the people that a reform in the Church establishment would at all endanger either. He now came to the main argument against the Bill, wherein, to speak the truth, he believed the majority of the House so far agreed with the right hon. Baronet, that they had gone the whole length with Ministers more from necessity than choice, and to prevent the greater danger, under all circumstances, from a less radical measure. Indeed, as much had been stated in the last Session by hon. Members as old and sincere friends of the people as he hoped he had been himself, and he mentioned the fact, because, if such were their feelings, could the people be surprised at the stronger fears of the body who were not their Representatives, but, according to the intention of the Constitution, the check and control upon them; and whose conduct, however to be regretted, had been consistent with the system which the people had supported for more than fifty years, and would have supported still had they not found out the necessity for that radical change which the majority of the said body, however unwisely, dangerously, and unconstitutionally, had still conscientiously opposed. And he said unconstitutionally, with reference to the opinion he had stated in his former speech: to which he must now add, that if the House of Commons stood justified in its own standing resolution, declaring the interference of Peers in Parliament with the election of its Members to be a high infringement of its liberties, their rejection of the Bill at once, in the teeth of such resolution, was a conduct not to be permitted, and he hoped the answer to be given it would prevent the renewal of the offence. On the other hand, whatever the expectation, or even certainty, of the rejection of the late Bill, and however lamentable the consequences of the delay throughout the country, in his opinion the Ministers had done their duty by the Constitution in making the attempt, and would have been as open to censure in the first instance, as they would stand acquitted now, in adopting the strong but necessary measure they had resolved on. But, as good came out of evil, so in this case, the happy issue of the country out of all the danger of the delay was the proof of the safety of the measure. To return to the right hon. Baronet, who still maintained that the Bill would destroy the Constitution, and establish a republican government, he would now ask the right hon. Gentleman and his friends, in answer to their late speeches, if such had been the real object of the political unions, and those meetings of 150,000 men, whom they declared to be the dictators and masters of the Government? was it to be believed they would have lost the golden opportunity which the Lords had given them, and have stood forward at that awful moment in defenceof the Constitution against its only real danger from the enemies of the Bill? In melancholy proof, let them only look at Bristol, and ask themselves whether the hon. and learned Gentleman, the Recorder of the city, who, by his own statement, had been told that the civil power was unable to protect him, and, therefore, knew, or ought to have known, the extreme danger of a visit which might have been dispensed with, had not been the sole cause of all the melancholy consequences. And, looking to the example of Bristol, could they deny the fact, that whatever the danger of these unions in themselves, they had, both in their existence and in the exercise of that power and influence wherein their danger consisted, protected the country at large from the dreadful effects which the rejection of the Bill and the excitement of the feelings of the people had in that instance produced? As to the real object of these unions, to meet that question fairly he would take the speech of the Chairman of the Birmingham Union at their great meeting, upon which so much had been said elsewhere. That speech he had read throughout, and whatever the question of Mr. Attwood's politics or judgment, he believed there had been no question of the sincerity of his praise of the Crown and Ministers, his attachment to the Constitution, and his honest belief that justice might be done the people without endangering it. What that justice meant he had plainly stated, by declaring that every honest labourer had as good a right to a reasonable maintenance for himself and family, in exchange for his labour, as the King to the crown on his head; and however strong the language, who could deny the truth of it? And even more, for the right of the King was derived from the people, who made it the law; but the right of every man to the profit of his labour, the right to resist the taxation of ti without his own consent, was the right of nature, which no human law could supersede. To win back that right was the object of the Political Unions, and the main question of the present Bill, which, as the right hon. Baronet and others had truly said, could not stop where it stood, but on its own principle must lead to that only real Representation of the people by which every man who contributed to support the Government, either in his person, property, or labour, was entitled to a vote; and according to which there was no honest means of preventing universal suffrage, other than to relieve labour from taxation. How this could be done, he had yet to answer to the right hon. Baronet, and would now state, in as few words as the subject would permit, the grounds of his conviction, that the present glorious measure, for which the people were so deeply indebted to the Crown and Ministers, would enable them to relieve the labour of the country from taxation, without danger or injury to property or the Constitution. It was a melancholy truth in the history of the nation, that in proportion to the increase of its wealth, so had been the decrease of the wealth of the labouring classes; and the reason had been shortly this—when first the Government was established, the whole expense of it was defrayed by property, whilst labour, being free, lived on its own earnings; but as property increased, power came with it, and as power creates abuse, so property began with shifting by degrees the burthen of its own protection upon labour's back. Thus taxation commenced, and continued to increase from time to time, as labour was found able to bear it; and thus the hand of industry was turned against itself in strengthening the power that oppressed it. To pass over the intermediate history of the increase of taxation, and to come at once to the cause of the present state of the country, it had been the funding system—the foundation of all its wealth and misery—but which, from having been the source of its distress, had become the means to remove it; for what but the funding system, in mortgaging labour instead of capital, to pay the interest of the public debt, had acted like the steam-engine, in multiplying the powers of both to that degree which, to repeat the emphatic close of the right hon. Baronet's late speech, "had made and preserved this the proudest nation in the annals of the world?" But which assertion, he must beg leave to say, contained more fallacy than truth; for, however true that the combined powers of the capital and labour of England exceeded all the world besides, it was no less true, that the powers of both, for want of combination, had long since been dormant, and that the real situation of the country, both at home and abroad, was the reverse of that which the right hon. Baronet had described. But this had been the necessary consequence of the funding system, which, in mortgaging the labour of the people, who had all along been paying the interest of the increasing debt, whilst capital was left to accumulate, had thus enabled the right hon. Baronet to draw the flattering picture on his own side, where property, in climbing all the while the ladder of its wealth, had now arrived at the top, and might well boast of the high ground it stood on. But what was the picture on the other side? During the progress of this cruel system, which, after so many years, had brought the nation to its two extremes of poverty and wealth, whole generations of hard-worked, ill-fed, short-lived, and even half-grown labourers, had been swept away; and such was their present state, that Ministers were now sending them abroad to prevent their starving at home. And this, the labour of England, to which her rich men owed all their wealth, and which, having once given her that proud weight in the scale of nations stated by the right hon. Baronet, might not only do the same again, but render her far happier, and more truly great in peace than ever she had been in war. All that was wanting to restore her power was simply for property to untie labour's hands, and thus enable it to work again, but not, as before, to the sole advantage of its employer, at the expense of its health and strength, its morals, character, and welfare, and all the comforts and enjoyments of life to which honest industry was entitled, but for their mutual benefit by obtaining for mere property the fair profit on its capital, and for itself the just remuneration for its toil. And now to say how this was to be done. Let property be made at once responsible for the burthen of the public debt, by which it would relieve both labour and itself. But first he must state the value of the whole property of the country, which, according to the estimate in Dr. Colquhoun's work, published in 1812, then amounted to 2,738,000,000*l.*, to which ought to be added, the great increase of property during the last twenty years; but he would leave this out, that he might adopt the estimate of Mr. Richard Heathfield, in his plan for the liquidation of the public debt, first published in 1819, and which he begged to state very shortly to the House, in justice to the author, and in defence of the opinion of so humble an individual as himself. In this plan Mr. Heathfield estimated the value of the property of the kingdom at 2,800,000,000; to which he added the 800,000,000*l.* of public debt, making in the whole 3,600,000,000*l.* Upon this sum he proposed to levy an assessment of twenty per cent, amounting to the sum of 720,000,000*l.*; with which to liquidate the debt to that amount, and thus at once relieve labour from 30,000,000*l.* of taxation. Of this 720,000,000*l.* of the debt, 160,000,000*l.* being the amount of the assessment of the fundholders, would be at once cancelled; the landholders and other proprietors requiring time, being taxed with the interest due upon their assessments until the whole was paid off. He would not trouble the House with the details of this plan, which would speak for itself to all who would take the trouble to read it; but to show at once that property, in thus relieving labour, would increase its own income—meaning, by property, the great body of proprietors throughout the country, great and small, and of all descriptions, who, by spending their whole income in it, most wanted and deserved relief—the case proved itself. Insomuch, that the absentees, and still more the accumulators of income at home, who escaped from present taxation to a very large amount, would, in supporting equally the burthen of the debt, relieve the general body from taxation in the degree which they (the absentees and accumulators) would then have to bear it. Thus all but the absentees and accumulators would be relieved; but above all the landholders, and especially the unhappy mortgagor, who was now burthened with the whole taxation on the estate of which he had mortgaged the income; whereas the transfer of the debt would shift 30,000,000*l.* of the burthen to the back of his mortgagee, who in justice ought to bear the whole taxation on the property, in proportion to his capital invested in it. If, then, property, in thus far relieving labour from taxation would benefit itself, could there be a question that in bearing the whole expenditure of the Government it would derive increased advantage from it? For, in fact, the depression of labour which had commenced with the peace, and had ever since been increasing, had already burthened property to the full amount of taxation, and with aggravated weight. During the war (as he had stated in his former speech), the enormous loans raised for its support being expended in the country were the sources of its increased wealth, by increasing trade and commerce, and which, in giving full employment and high wages to labour, enabled it to bear the taxes to pay the interest of the debt; and so long as high rents, high prices, and high wages could be maintained, all went smoothly on; but the return of peace, in reducing rents, prices, and the wages of labour, without reducing taxation, and followed by that ruinous measure to every landed proprietor who had neither funded property nor other income to assist him—namely, the return to cash payments—was the short history of that general distress which nothing but the removal of the cause could remedy. But the whole question of the present system of taxation, and its cruel effects on capital and labour, in having rendered both unable to benefit each other and the country, were fully explained in Mr. Heathfield's publications on the subject, wherein he had shown that in raising the revenue by taxes on consumption, instead of a tax on property, the necessary effect of high duties in multiplying prices by the action and reaction of price on price, so increased the amount, that the annual tax of 1*l.* on any article of consumption required at least 6*l.* in the general prices to distribute the burthen of the 1*l.* paid to the Treasury; and consequently, that the sum of 40,000,000*l.* now paid annually in duties of excise and customs, to effect a distribution of the burthen over the mass of consumers, required an increase in the sum of the prices of all the articles sold in the United Kingdom during the year to the amount of 240,000,000*l.* more than the consumers would have to pay if the said 40,000,000*l.* of duties were not imposed. Such being the effect of the present system of taxation, which every hon. Member might learn by reading Mr. Heathfield's book, he would no longer detain the House than to state his humble but firm conviction, that the adoption of Mr. Heathfield's plan would, in again combining the gigantic powers of the capital and labour of England, at once raise her out of all her difficulties, and not only restore and increase her trade and commerce to a boundless extent, by giving her the command of all markets in the cheapness of her produce, but in compelling France and other Governments, in their own defence, to adopt the same just principles and to relieve the distresses of the people by setting labour free—carry into effect the principle of free trade, establish a general and lasting peace, and thus verify the words of the right hon. Baronet, in "making and preserving this the proudest nation in the annals of the world."

Colonel *Wood* said that, after the length of time to which the discussions on the question of Reform had extended, it was not a matter of wonder that the House should have become thoroughly tired of the subject. Of this the gallant Officer who had just addressed them seemed to be thoroughly aware; for, throughout the whole of his speech, he had not offered a single observation which bore upon the question. It was his (Colonel Wood's) intention to pursue a different course, and to confine himself as closely as possible to those details of the Bill to which he objected, and which would induce him to vote against the third reading. He felt it necessary to intrude to such an extent upon the indulgence of the House, because he had voted for the second reading of the Bill, and, therefore, was anxious to explain why, in its present stage, he had made up his mind to oppose it. He voted for the second reading of the Bill, not because he approved of it as it then stood, but because he hoped that, in its subsequent stages, several material alterations would be made, which would render it, if not unobjectionable, at least less subversive of existing institutions. In that hope he had been disappointed. By dint of numbers on the Ministerial side, the Bill had gone through the Committee without any alteration of consequence, and was now proposed to be read a third time in nearly its original form. In that form he, for one, would never support it. His objection to the Bill did not rest upon the first clause. He should have been content that all the boroughs enumerated in schedule A should be disfranchised. But to the second clause he had the strongest objection. He could easily understand why fifty-six boroughs should be totally disfranchised, but he could not understand why thirty should be partially disfranchised. He knew of no test by which it could be said, that particular boroughs were worthy of returning but one Member each. It was a perfectly new principle in the Representative system. From the earliest times the smallest boroughs had always returned two Members, and many of them, particularly the burgage tenure boroughs, which it was now proposed to half disfranchise, could never have been of greater importance than at present. He, therefore, protested against this alteration of the Constitution of Parliament. If any of the boroughs in schedule B were close or corrupt, let them be placed in schedule A, and totally disfranchised, but let them not hereafter, in the exercise of a mutilated privilege, become the sanctioned violators of one of the best principles of the Representative system. With these observations on the disfranchising provisions of the Bill, he now came to its enfranchising clauses. Without wishing to revive the discussion on the metropolitan districts, he could not but say, that, to give them the right of returning Members to Parliament was, in his opinion, one of the most objectionable provisions of the Bill. It amounted, in fact, to the establishment of Universal Suffrage almost at their own doors. The electors for those districts would amount to 100,000, who, from their immediate proximity to the House, would sit in daily judgment upon the conduct of their Representatives, and thus deprive them of that which every Member ought to possess—the free and unshackled power of speaking and voting as his conscience and judgment might direct. This, in his opinion, was most objectionable—because, when the immediate influence of the constituency over the conduct of the Representative was felt in the metropolis, it would soon extend to the other large towns of the kingdom; and thus, as Paris was said to be France, so with equal truth might London be said to be England. Upon every political question the tone of the metropolis would be adopted throughout the country. The danger which would result from our ever arriving at such a state of things must be obvious to every one. Although he had voted against the late proposition for taking the third Member from the county of Monmouth, he still thought that the original proposition for giving a third Member to any county was bad. That proposition, however, having been agreed to by a majority of the House, and consequently engrafted in the Bill, he objected to the taking of the third Member from Monmouth, because he conceived that it would unsettle the balance which ought to be preserved between the agricultural and manufacturing interests of the country. He objected to the means by which Ministers proposed to preserve that balance. To continue to agriculture its due share of Representation, he thought, instead of giving additional Members to counties, it would have been better and wiser not to have broken down those rural boroughs through which the agricultural interests had hitherto, to a great extent been represented. Another objection in his mind to the Bill, as it now stood, was the diminution of the number of English Members. If the Members for Ireland could make out a good claim for additional Representation to that country, which he did not believe they could, he would say, let them have it. If Scotland could make out a claim, which he believed she could, he would say, let her have twenty additional Members, but let it not be at the expense of England. He had thus, with as much brevity as possible, gone through the objections which he felt to the details of the measure. If he could bring himself to believe that they would be removed by amendments, when the Bill came to be discussed in the other House of Parliament, he should not hesitate to vote for its being now read a third time. But as he could receive no assurance upon that point, he felt bound to oppose it. It was said by the hon. member for Calne last night that the question was now "the Bill," or "a compromise." The latter the hon. and learned Gentleman held up to obloquy, as a thing unworthy of the Representatives of the people. He did not know why a compromise should be so viewed. He thought that the public out of doors were looking for a compromise—were anxiously hoping that the two great parties in Parliament would meet, and that an amicable settlement of the question would take place. Believing that the Bill in its present shape would effect an inroad in the Constitution of which no man living could judge of the consequences, he should decidedly oppose the third reading.

Mr. *Robinson* said, it was his intention to vote for the third reading of the Bill. He had expressed his hostility to some of its details, but when he saw the situation in which the House and the country were placed by hon. Gentlemen below him, when they were at the head of Government —when he recollected that they had then refused all measures of Reform, however moderate—when he was thus driven to the alternative of having no Reform at all, or of having the Bill then before the House with whatever imperfections he might suppose belonged to it—he conceived it to be his duty to support the present proposition. He repeated, that he felt himself called upon to support the measure of Reform brought forward by his Majesty's Government, in opposition to the feeling evinced by their opponents, who were anxious that there should be no Reform at all. On a former occasion, when two boroughs, convicted of delinquency, were disfranchised, it was proposed that the right which they had forfeited should be divided between a large manufacturing town, and a place connected with the agricultural interests. But even this moderate proposition was refused. It was then said, that if that point were not given up, the Reform question would be pressed upon the Government in such a way, as would oblige them to concede a much more considerable measure: and circumstances had justified that prediction. It was clear that the late Ministers had not retired in consequence of the vote on the Civil List, but because the call for Reform had become universal. He had never heard from the hon. Gentlemen on that side of the House, who opposed this Bill, what degree of Reform they were disposed to give, though none of them would deny that some degree of Reform was now absolutely necessary. The hon. member for Brecon said, that he would agree to the disfranchisement of the boroughs in schedule A; but that he thought the boroughs in schedule B were most unjustly treated. Now, the treatment of the boroughs in both those schedules was justifiable on the broad principle of public expediency—that principle on which the whole measure was itself founded. Would any hon. Member be bold enough to say, that the great interests which had grown up within this last half century, ought not to be directly represented. One of the objections urged against this measure was, that it would destroy the balance which it was said at present existed between the agricultural and manufacturing interests. Now, he would maintain, that it would do no such thing, and he, for one, could not bring himself to think that that which would promote the good of the whole community would be productive of injury to any particular class in the state. Indeed, if he were inclined to attach any weight to this antiquated talk about the balance of interests which were essentially and necessarily bound up together, he would say, that even under the Reform Bill the manufacturing interests would not be sufficiently represented in that House. The great merit of the Bill was, that it was calculated to give to the people that to which they were entitled—a full and fair Representation in the Commons House of Parliament, and to place that House in a proper position before the country. It was said by some hon. Members, that if this Bill should be passed, the abolition of the House of Peers would be sure to follow as a necessary consequence. He knew not in what quarter or district of the country the hon. Members who made such an assertion had gathered the opinions of the people, but as far as he had been able to ascertain their sentiments, he did not believe that, on the part of the great body of the people, there was any disposition to alter the main principles of the Constitution of the country. The great point at issue was, whether a measure like this should not be passed, which gave to the people their just influence in that House, and restored to them those long-withheld rights to which they felt themselves justly entitled, under the Constitution of the country, and which from all he could see they were determined to obtain; when they had fully recovered their own rights they had no intention he believed to interfere with others. Another objection raised against this Bill was, that it would take away the power of having the colonial interests represented in Parliament, by disfranchising the close boroughs, through the means of which alone Members connected with the colonies had hitherto obtained seats in that House. Now, he conceived that the colonies must be always represented indirectly; and the greatest portion of that Representation they must derive from the conviction of every Member of that House, that the interests of the colonies were identified with the interests of the country at large. To speak of any other Representation on the part of the colonies was absurd; for if Members even were given to the colonies, as had been proposed on a former occasion by the hon. member for Middlesex, their number would be so small that they would possess no weight or influence in that House as a body having separate interests. If the present Bill should be rejected, the country would be thereby placed in a most perilous position; and if the Sovereign should be obliged as he then would be, to form a new Government, that Government, he would assert, would be unable to carry on the affairs of this country, without at once bringing forward a measure of Reform fully as comprehensive and extensive as that now under consideration. Let not the opponents of this Bill delude themselves by supposing, that if they should throw it out, they could propose to the people a nominal Reform, which would, in substance and reality, continue to preserve the power of the aristocracy and the influence of the boroughmongers to their present extent. The people would never endure such a measure as that. He was ready to admit, that he feared that this Bill would not work as well as some of its most sanguine supporters represented; but, looking at it as a boon to the country—viewing it as a measure which was anxiously expected and desired by the people, and feeling certain that some such measure was absolutely required in order to satisfy the wants and meet the wishes of the sober-thinking, influential, and industrious portion of the community, without whose concurrence and support no Government could possibly maintain itself in this country, he should give his vote for the third reading of this Bill.

Sir *Richard Vyvyan* said, the reasoning adopted by the hon. member for Worcester could not be considered very convincing, when he had declared, that he felt strong objections to the present measure, but that he voted for it because no better plan of Reform had been proposed. The hon. Member admitted that there were many defects in this Bill, and yet he expressed his intentions of voting for it, knowing, at the same time, that if once passed, it could never be recalled. The only reason which the hon. Member had assigned for supporting what he called an objectionable measure, and feared would not work well was, that no other scheme of Reform would be brought forward. But how could he know that there would be no other plan introduced? If the hon. Member disapproved of this measure, and thought Reform necessary, it was his duty to have produced a plan of his own. With regard to the measure itself, they were now arrived at a stage in which it was perfectly clear that, whether this Bill was allowed to pass the other House with considerable alterations, or whether it should be again rejected, his Majesty's Ministers could not proceed with the same Bill, but must come forward with some new measure of a more moderate character, such as was likely to conciliate and satisfy the minds of the country at large. Unless his Majesty's Ministers were prepared to witness a repetition of the scenes at Bristol and Nottingham, they could not venture to produce this plan for a third time. Should this Bill be again rejected by the other House, there could be no precedent for again bringing it forward in the history of the country. The boldest coalition of parties which had taken place for the last half century—that between Lord North and Mr. Fox—did not attempt to re-introduce the India Bill, when it had been fairly defeated by the House of Lords; and it was, therefore, extremely improbable that the present Government could entertain the idea of originating a third Bill, if the second was defeated. He was fully disposed to admit that the country had arrived at such a state that the question must be speedily settled in one way or another: the fever must be allayed, and the natural health and vigour of the nation restored, before it be too late. Acting under the advice of his Ministers, the King dissolved the Parliament, and appealed to the nation on the question of Parliamentary Reform. The country had given its decision, and that decision was for Reform. There must, therefore, be a Reform. But what Reform? Upon what principles, and how were they to be applied? Such was the matter at issue between his Majesty's Ministers and their opponents. Was it to be a wise and wholesome adaptation of gentle alteration to a change of circumstances, or a Reform which would lead to havoc and destruction. That was the real state of the question? He had hitherto abstained from offering his sentiments upon the general merits of the Bill. Neither during the present Session nor the last had he addressed the House upon the subject, and he had remained silent, both because it had been discussed with great ability, and because, in his arguments, he might have trammelled his own future proceedings. He had been willing to hear the matter fully debated, and to weigh all the arguments, however specious, which might be advanced in favour of the Bill. He had done this, and the result was, that the arguments might, to use the words of the hon. and learned member for Calne, be summed up in this—this Bill, or anarchy. Was that an argument to address to a British House of Commons? It might be very well to use it to frighten a timid assembly, but it was not worthy of being adduced to influence reasonable men. He could not avoid taking that opportunity of making some allusion to those who had been ejected from seats in that House at the Reform elections; and he must say, without intending insult or slight to those who had succeeded them, that the places were not better filled by their present occupiers than they were by the predecessors of those Gentlemen. Many of those Gentlemen had supported the Resolution which he had moved as an Amendment on the second reading of the first Bill. It was true, that Resolution proposed no detailed plan, nor could it; but it did propose general principles, which might easily have been followed out, and which, if followed out, accordingly would ultimately have given satisfaction to the country. His opinion with respect to that Resolution was unaltered, and, indeed, it had been even strengthened, by what he had heard since he proposed it. The parliament ought not to be called upon to pledge itself to more than principles; the details ought to be left open to discussion. If that were not the proper and constitutional mode of proceeding, then Parliament was but an assembly to register the edicts of Ministers. What had been the case with the Bill before the House? Were hon. Members, who had voted for the second reading, and had in Committee opposed and voted against several clauses, to be considered as bound to support the Motion for the third reading, although the alterations they wished had not been made? In justice, they could not; but in truth, by the present Ministers they were. But if they were told that the House of Commons was returned by the people for a specific purpose, how would that argument apply to the House of Peers. The hereditary Peerage could be controlled by no such reasoning. Such was his view, and, whatever might be now attempted, such was the genuine and true practice of the Constitution. Then, with respect to the second Bill: that Bill was supported by a pledged majority, and he must admit it was, in many instances, opposed by a pledged minority. Such was, of necessity, the fact. For, with the proscribed boroughs, it was a question of life and death: it was annihilation or preservation. The minority felt that and acted upon that feeling. The majority contended, in many instances, merely for change, and in some, for advantage; but the minority fought for existence. Many Members who voted for the second reading, did so, as a fulfilment of the wish of the country that there should be a Reform; but when those Members found that, in Committee, no alteration in the Bill was allowed, it was monstrous to say, that they, by their vote on the second reading, were bound to support the third reading. That, however, was assumed by the Ministers and their supporters. As a proof that such was the fact, let the House turn to the papers of the day. In those papers they would find a report promulgated by the Political Union of Liverpool. That report was drawn up with as much ceremony as a report of that House; and, after noticing that a noble Lord, who had been elected a Representative of the borough of Liverpool, had not voted upon one occasion, and upon another had voted against the Ministers, it declared, that in consequence of such conduct, that noble Lord had forfeited the confidence and respect of the electors who returned him. Why, if that principle was acted upon, it was idle to talk of the House of Commons being a deliberative assembly. It was not a principle that could be acted upon, or even tolerated, without converting the House of Commons into a most slavish assembly. If a Member, for exercising his reason, was to be held up to odium or to hatred, there was an end of independence. And who were those people who took upon themselves to exercise this baleful authority? They were but a very small portion of the country, and had no manner of right to exercise the functions they took upon themselves. And what were the grounds upon which the last Parliament had been dissolved? A majority of that House had agreed to General Gascoyne's Motion for maintaining the number of English Members in that House. For voting in favour of that Motion many of them lost their seats, and, therefore, they had a right at least, to expect that the principle they opposed unsuccessfully would be adhered to by their opponents. Was it adhered to?—No. The Ministers themselves had given it up, after they had dissolved the Parliament for opposing it, and the majority that voted with General Gascoyne had been avenged. One of Lord Grey's projects about Reform was, the diminution of the number of Members of that House, but he had now practically admitted that the Members of the House of Commons was not too great for the proper discharge of the public business. On the question of Merthyr Tydvil, the Government was compelled to disfranchise the county of Monmouth, so completely had they deserted the argument about the House being too numerous; and, although they had dissolved upon this point, they thought it expedient to induce a majority of this House to support them in destroying their Monmouth bantling before it saw the light of the House of Lords. Where, then, was the principle of the "whole Bill and nothing but the Bill," which many Gentlemen had been called upon to pledge themselves to by their constituents? It was impossible for those who had a regard for consistency to approve of this change; their supporters must be ashamed of this dodging backwards and forwards—this marching and counter-marching in legislation. Upon that the third reading of the Bill, he thought it right to state the objections which bound him to vote against the measure. By the preamble of the

Bill it appeared that it had five objects:—in the first place, it was to deprive small and inadequate boroughs of the right of returning Members; in the second place, it was to give to large towns and interests the right of returning Members; in the third place, it was to increase the number of county Members; in the fourth place, it was to extend the elective franchise; and, in the fifth place, it was to diminish election expenses. These were the five objects which this Bill proposed to have in view, and he would call the attention of the House to the manner in which they were accomplished. With respect to disfranchisement, it proposed, at one blow, to destroy those boroughs which had hitherto survived all changes—which had outlived the great rebellion, the time of Oliver Cromwell, and the Revolution of 1688. At one blow this Bill was to destroy all charters, and that, simply because, in the opinions of the Ministers, such ought to be the case. In speaking thus, however, he spoke of the Bill in its original state. In its present shape it had a different aspect. Suggestions from the side of the House on which he sat had been adopted, in so far that the franchise of freemen was preserved. The charters were no longer aimed at merely as charters, but they fell before expediency. Looking at the places to be enfranchised, the Government decided that fifty-six boroughs must be disfranchised altogether, and thirty partially. He complained of the unsatisfactory nature of the test adopted. An hon. Member had asked, what other test could have been adopted than assessed taxes, number of houses, or both of these conjointly? Why, the number of electors actually in the different boroughs. And that was the fair and just test—the test which best showed whether the boroughs were decayed, as boroughs, or not. This test, also, was in accordance with the principle laid down by his Majesty's Government in the preamble of the Bill, viz., that it is desirable to take away from those boroughs which have too small a constituency the right of returning Members to Parliament. This was the test laid down in the preamble of the Bill; and yet the Ministers took the assessed taxes at one time, and a population, having nothing to do with election matters, at another, forgetting that their preamble might apply to five only, out of a thousand inhabitants. It was of the utmost importance, in making changes, to adhere, as nearly as possible, to precedent. Hitherto, total disfranchisement had been only resorted to in cases of proved corruption in Great Britain, and the forfeited franchise had been transferred either to a distant place of importance, or the corrupt constituency had been purified by admitting fresh voters. But, as yet, Parliament had never destroyed a borough without crime being alleged and proved; and the claims of ancient usage could not be spurned without weakening the security for all rights which depended on prescription. He would pause before he swept away the smallest right; and that cautious course had been sanctioned by Ministers themselves, for they had partially adopted it with regard to schedule B. Suppose 100 electors were taken as the number necessary to constitute an efficient constituency, and to entitle a borough to return a Member, adopting that criterion, there would have been sixty boroughs open to disfranchisement. But the plan of the Ministers was directly and plainly to assail the corporations; to infringe upon and destroy charters; to violate the rights they conferred—rights as good and as well founded as those to any property or any privileges. The rights conferred by the charters now struck at were as valid as the rights of expectant heirs to peerages, as the rights of the Church, as the rights of any property whatever held upon descent—aye, as the rights of the descendants of the House of Hanover (and he flinched not from saying it) to the throne. Let those who were willing to inflict the blow pause before they struck. Let them remember that they themselves, if they did destroy these charters, would be making a precedent which might be quoted against themselves at no distant period. Then, with respect to the Constitution: How was that affected by this destruction of rights? When the first Bill was introduced, he heard much of the inherent and prescriptive rights of the Constitution; but, as the subject came to be discussed, the Ministers found themselves perplexed and beaten upon that point, and they attempted to shelter themselves under the argument of expediency. What was the origin of the basis of the Constitution? The sword of William the Conqueror. If they were to go back to the origin or beginning of property and rights, they must refer to the Doomsday Book. That would be the great and only source of title. For many years the Norman princes had governed altogether without a Parliament. It was not until the reign of Henry 3rd that Parliaments were known to the Constitution of the country, nor until the reign of Richard 2nd that it was known what boroughs would be summoned to return Members. Another alteration took place, in the reign of Henry 6th, with regard to the right of freeholders; and during the wars of the Roses and of the reigns of the Tudors, and of the first of the Stuarts, he would ask, in what light was the Constitution then considered, with respect to Parliament, though so much was now said of its freedom? There was the Star Chamber, greater than Parliament: men endured long imprisonment on suspicion—sometimes they tortured on examination. The Parliament attainted any victim pointed out by the King. They came, at last, to the time of Charles 2nd. During the reign of that Monarch, the last creation of new boroughs took place. Newark, the city of Durham, and the county of Durham, were authorised to return Members. The regulation of the authority of the Crown gave independence to Parliament, and when James 2nd made his wild, wicked, and tyrannical attempt to thrust a religion on the country in opposition to its dearest wishes, the value of an independent Parliament fully appeared. The settlement of the Constitution, and its power, and its good, were then made apparent. Liberty was secured to the country, and a line was drawn which at once checked and protected both the Sovereign and the people. That line was now to be broken; but he contended that the Ministers were bound to make out a far stronger case than they had, before they would be entitled to pursue such a course. For a century and a-half the country had known liberty and happiness under the Constitution then established, and it would be madness and wickedness now to destroy it without sufficient cause. No such cause had been shown. He was one of those, however unpopular the declaration might be, who would never consent to the annihilation of one charter, and, therefore, he should to the last oppose schedule A. Suppose that schedule passed, how could the House suppose the country would regard it as binding? He was ready to extend the elective franchise; he was ready to take one Member from as many boroughs as might be requisite for enfranchisement, but he would never consent to the entire annihilation of a charter. Suppose it was proposed that, in the House of Peers a certain number of Peers should not be allowed to vote, because they were poor, what would be thought of such a proposition? And yet it was in precise keeping with the disfranchisement proposed. What extent of privileges the smaller boroughs should enjoy it was not necessary for him then to argue, but he entreated the House to pause, and to consider well before it sanctioned a measure which might prove a fearful precedent—a precedent which would lead to a disfranchisement many then thought it madness to expect, and which most could contemplate only with dread. There was but one abstract right of voting which could be brought forward by pure theorists, and that was Universal Suffrage. He was no advocate for that mad scheme; but still that only proved the abstract principle, and everything differing from it was a modification of it. The 10*l.* franchise, for instance, was arbitrary. The possessor under 10*l.* had as much right to complain of the adoption of the 10*l.* franchise as the holder of 10*l.* would have to complain of the adoption of a 20*l.* franchise. Disguise the fact as theoretical Reformers might, it was evident that the 10*l.* voters under the new Bill would not be voting for themselves but for the mass of the people, unless the House consented to Universal Suffrage; it was only a question of degree; the electors in all other cases were virtual Representatives of the public, and they stood between the mass of the people and the House of Commons. And he must say that, in his opinion the poor would suffer much more under the 10*l.* franchise than they would under a considerably higher one. The great objection he had to the Bill, then, was, that it would violate all charters, and endanger all property. He knew it might be said an attempt to predict was dangerous, but still he had no hesitation in asserting it as his belief, that if the injustice contemplated was executed, it would lead, and shortly, too, to consequences now held in ridicule. His second objection was, that a vicious test had been applied to the boroughs to be disfranchised. He did not like meddling with the rights of the poor, and the Bill did, in many instances abrogate those rights. His third objection was, to the 10*l.* clause, and to the mode of applying it. He thought the giving Members to the metropolitan districts most unnecessary and objectionable. The metropolis was already amply represented and protected, and enjoyed immense advantages. London was the seat of Government, the great emporium of fashion—deriving every advantage from the residence of the Court, and virtually represented by nearly half the House. The hon. member for Middlesex was as much the member for Mary-le-bone when he sat for Aberdeen, as he would be if he represented the new constituency of that district. The confusion of a general election must be attended with all the disgusting tumult which for the peace of the metropolis was now only confined to Covent-garden; and it was his belief that every general election, under such circumstances, must be attended with serious riots in all parts of the metropolis. So much for his general objections to the application of the principles of the Government with regard to the Bill before the House. The hon. and learned member for Calne had alluded to some opinions of his with regard to the cause of the outcry for Reform, and stated, that he believed the country was far from being in a prosperous state, and that he agreed with him in thinking that the distress in different classes had much to do with the outcry for Reform. The hon. and learned Member seemed to think that every Member was inconsistent who, after complaining of the distress of the country, refused to vote for the Bill now before the House. How did the hon. and learned Member vote on the motion for a Committee on the glove trade? He did not know how the hon. and learned Member voted, but he supposed, of course, for inquiry. How did the hon. and learned Member vote upon any of those questions upon which inquiry was claimed in consequence of distress, and upon which inquiry had been refused by a Reforming Government? He was justified in concluding, from the silence of the hon. and learned Gentleman, that he, the grand advocate of the interests of the people, had supported his Majesty's Government, and refused the destitute operatives of the glove trade an opportunity of inquiring into their distress. Was the country to be deluded by such statements as that of the hon. and learned Member? His Majesty's Ministers having upon every occasion voted against inquiry into the distress complained of, their advocates now came forward and called upon the House to pass the Reform Bill, as a means of removing that distress, although they themselves, by refusing all inquiry, had declared it to be beyond the reach of Parliament. And then the hon. and learned Member had alluded to his hon. friend, the member for Boroughbridge, who had attributed much of the prevailing distress to the alteration in the currency; and he had objected to his hon. friend for always introducing that subject for the last ten years. Why, the Reformers said, they had introduced Reform for the last thirty years, and claimed merit for having done so. Why, then, was his hon. friend to be censured? He agreed with much of the argument of his hon. friend with respect to the currency. He attributed much of the distress to the Bill of 1826—the Bill of Mr. Huskisson and of Lord Goderich—a member of the present Cabinet. The hon. Gentleman last night talked of Government as an experimental matter, and supposed that the principles of Government and Constitution had been improved upon within the last 200 years, because the scientific knowledge of the public had been increased. The hon. and learned Gentleman was surely acquainted with writings 2,000 years old, in which every argument of theories of Government had been brought forward, and speculation upon speculation had been advanced. Constitution must have reference to the feelings and passions of mankind, and however learned the present generation might be in the arts and sciences, the passions of ambitious, or mean and servile men were the same at present as they had been in the earliest stages of society; it was to guard against these that constitutions had been formed; it was to guard against the despotism of the Throne in this country and in all countries, that the various devices of legislators had been brought forward. This was a new argument on the part of the member for Calne, for he had heretofore talked of the public will as the only rule to be followed. But, after all, the hon. and learned member for Calne had but one argument in support of the Bill. That argument was, "Do it, or you will be obliged to do it." It was during the present debate that the hon. and learned member had, for the first time attacked those who talked of blood. Why, the hon. and learned Member's own arguments, from the first, were the most bloody. Who was it that had threatened the House of Peers, and bade them take warning by the fate of the Peerage of France? And what was the course the hon. Member recommended? Why, to give way to clamour —to attend, not to the voice of reason, but to the shouts of licence. And in support of his view, the hon. and learned Member had referred to Spain, to Constantinople, and to almost every city. But had he read the facts truly? No; violence in all the instances the hon. and learned Member had adverted to, and indeed, throughout the page of history, had been invariably followed by a chilling coldness far more prejudicial to the cause of liberty than corruption itself. Violence soon exhausted itself, and those who yielded to its influence soon became the passive slaves of despotism. Such was the lesson to be learned from the page of history, and happy would it be for this country if that lesson were not disregarded. There was one subject he could not leave unnoticed—the language used respecting the House of Peers. It would be useless to deny that both in the public Press and in private conversation, the rights of the House of Peers were threatened with destruction. Even in that House hints were thrown out which would seem to glance at the exercise of a most unconstitutional power for the purpose of controlling the House of Peers. For the last fortnight Lord Grey had been called upon to create Peers to secure the second reading of the Bill, and had been told that his existence as a Minister depended upon his doing so. Why, was it not idle to talk of the Constitution, and to tolerate such language? But then it was said, the second reading would be agreed to. Let that branch of the Legislature take care how it gave way from intimidation, and let the country take care how it permitted the destruction of its independence. If the independence of the House of Lords was crushed with respect to this Bill, how could the country expect it would again revive? The same threat had been held out to that House. The Attorney General had said, that the King had the power to issue writs for new boroughs, or to suspend those for existing boroughs; and such a threat might have had its influence. On this subject he must again refer to the impeachment of Lord Oxford, and his answer to the article respecting the unconstitutional creation of Peers, in which he admitted that it was unconstitutional to create Peers for the purpose of carrying any particular question. With such a precedent before them, he could hardly conceive any Ministers willing to incur the risk of creating Peers, to destroy the independence of the other branch of the legislature. But a contrary opinion was abroad, and, therefore, he would entreat those Peers who, in consequence of the threat, were inclined to vote for the second reading of the Bill, to consider well what they were about, for the same threats would be repeated to ensure the third reading. Let the House of Lords look to the conduct of the House of Commons. All those who voted for the second reading would vote for the third, although many of them had supported material alterations in the Committee, which had been proposed in vain. The Government had rejected every important alteration suggested; and therefore, those who, in the House of Peers, voted for the second reading might calculate upon the course that would be pursued with respect to the Committee and the third reading. If the threat of making Peers was held out upon the second reading, the same moral mode of intimidation would be exercised before the third. The reasoning applied to both Houses: there was the Bill, let hon. Members exercise their judgments honestly and independently; and let the Attorney General do his worst. Let Ministers advise the King to issue new writs, or to suspend old ones, but let them also have the full responsibility of their conduct. Let not threats induce compliance, and so take from the Minister, in appearance, much of his burthen. The country was deeply indebted to the House of Peers for having rejected the Bill last year. Abused and attacked as the House of Peers had been, still the country owed it a deep debt of gratitude; and he firmly believed that, if the Bill was rejected at once, the sensation produced would be as nothing compared with that occasioned by the same proceeding last year. The Political Unions, encouraged by the Government might strive to create some ferment, but the shopkeepers, the farmers, and all persons engaged in commerce or manufactures, were suffering greatly from the chilling effects of agitation, uncertainty, and change, and would rejoice at the restoration of peace, union, and confidence. These were what the country required, and his Majesty's Ministers had not been able to prove that they would result from the passing of the Reform Bill. There were three or four parties, it was true, who supported the Bill, and the House would do well to consider what those parties were. One of them advocated the mutation of taxation. They required the taxes to be laid upon property instead of being imposed as they were. He was convinced a tax of twenty per cent would be an injury instead of a benefit to commerce. Another party approved of the Bill as preliminary to an attack upon, or rather a confiscation of, Church property; a third looked upon it as a prelude to the repeal of the Corn-laws; and the fourth advocated it preparatory to a revision of property in general. Hon. Members might laugh, but that which at present appeared absurd would soon come to pass if the Bill was not again dismissed. Mirabeau, at the beginning of the French Revolution, never dreamed of the manner in which it would end, and even the utilitarians of France were utterly mistaken in their calculations. They never thought, in the beginning of the French Revolution that it would overturn the monarchy, destroy the nobility, and lead, through a frightful anarchy to military despotism. He knew well that nothing then said in that House would have any effect in altering opinions of hon. Members on the other side; but he still hoped that, notwithstanding all that had been said, the Bill would again come before them in a revised form, and, probably, as the excitement had abated, with the consent of Government. He trusted if Ministers had again to witness the rejection of the Bill, that they would remember Bristol, and the consequences of their own excitement; that they would desist from corresponding with Political Unions, and never again demean themselves by calling the honest decisions of the House of Lords, the "whisper of a faction." In conclusion, he must repeat what he had before observed, and that was, that he was not hostile to Reform, but he was opposed to the Bill, because he solemnly believed it to be destructive of the Constitution. He wished for a safe plan of Reform; he thought that might be easily accomplished—the dissolution of Parliament had settled the question between Reform and no Reform, but he did not conceive that the Ministers would fancy themselves in sincerity to be such perfect legislators, such Solons and Lycurguses, as to imagine that this Bill was perfect and complete. It was practicable to devise a plan of Reform which would prove safe, and give satisfaction to the country. He thought that Members might be given to the large unrepresented towns without the entire disfranchisement of any boroughs, and that the annihilation of the charters might be avoided, that every borough might be still allowed to participate in the election of Members. In short, he protested against schedule A, as much because it might become a precedent for more important spoliation, as for the sake of the boroughs themselves; and he was of opinion, that, in the partial disfranchisement of a sufficient number of boroughs, the glaring injustice of violent spoliation might be obviated, while the new constituencies in towns and counties would be provided for. It might be said, that, in this case, he was anxious to perpetuate the close system, with regard to the boroughs with small constituencies; but he was willing to see the rights of voting in that instance extended in a safer manner than in the Bill. He said this more particularly, because schedule A was stated to be the principle of the Bill, and he maintained he was perfectly consistent in offering to vote for one schedule only, in which boroughs might be arranged in the order pointed out by the relative number of their voters at present entitled to the franchise. The grand principle of preserving the charters would be maintained by such a partial disfranchisement, while a large Reform might be effected by admitting new towns and counties, on one hand, and extending the constituencies, on the other. He believed that the country at large would be contented with such a basis, as regarded disfranchisement. An hon. Member last night talked with great exultation of an infusion of 200 new Members, men of business, who would devote their time assiduously to the business of the country. He feared that the hon. Member was falling into an error about the advantage to be derived from a popular assembly, consisting, for the most part, of men with new ideas, unaccustomed to the business of the House, honestly intending to persevere in the proposal of various schemes and alterations. Nothing could appear more plausible in theory than such a change, nothing could be more dangerous in practice than the continued fever which the efforts of such a corps would keep up, and the uncertainty under which every branch of trade would labour from the dread of a capricious and ricketty legislation. At present he thought his Majesty's Ministers had enough upon their hands—something very like rebellion in Ireland—an avowed rebellion in the West Indies—discontent in our other colonies —stagnation and want of confidence at home, and an uncertain, but, he feared, a subservient course of policy with regard to foreign affairs; there was not one head of a department, whose time, as a Member of the Executive Government, ought not to be fully occupied, and surely this was not the moment for increasing doubt, and unsettling the institutions of the country. He implored the Government, for the sake of peace, to lay aside all party considerations. He believed they were blindly pursuing party objects, and that they were not aware, in their own hurry and excitement, and in their attempt to enjoy a long tenure of office, through the means of the Bill, that they and the Aristocracy of their own party were committing an act of suicide. It had been remarked by Madame de Staël, in her "History of the French Revolution"—[*a laugh*]—he concluded that the hon. Member who was amused at his quoting that most powerful authoress had read the work, and, if not, he would advise him to read it, for Madame de Staël was as liberal as he could be, and possibly quite as wise—it was remarked by Madame de Staël, that no great revolution, which ended in the annihilation of the aristocracy, and the ruin of the upper classes of a nation, could be effected, if the government and the aristocracy were true to themselves, and to the great interests of the nation. Before sitting down, he must repeat, that, if there had been proposed a moderate and safe Reform, it should have his support; but, to obtain his vote, it must be a Reform, not a revolution, a Reform that would preserve, not endanger, the Constitution, and one that would afford protection and security to life and property.

Mr. *Duncombe* said, the hon. Baronet had complained that no arguments of a satisfactory nature had been urged by those who were friendly to the Bill. He might tell the hon. Baronet, that no reasons had been offered by him and those other Members who had spoken on the same side, to show that the Bill ought not to pass. The hon. Baronet had alluded to what he had said on a former evening as to the creation of Peers. The question that now arose was, not as to the fate of the Bill in that House, but in the other House of Parliament. The hon. Baronet had spoken of revolutions, and had wandered into different parts of the world, where he would not follow him, and had brought forward much historical lore on the subject; but the hon. Baronet seemed to forget that a revolution in the minds of men had taken place in this country. The people had now awoke from their dream, and were no longer to be imposed upon. Hon. Gentlemen opposite would have been glad if the people had still remained ignorant, but they could no longer impose upon the people. Hon. Members might sneer and taunt the people [*cries of* "*No!*"]—he would repeat, they might sneer and taunt ["*No, no!*"] —he would repeat the sneers and taunts of hon. Members directed against the people ["*No, no!*"]—he would repeat the sneers and taunts offered by hon. Members opposite to the people [*cries of* "*No!*"] —he supposed that the sneers and taunts came from that side of the House—from those hon. Members who conceived that the middle and lower classes of society had no right to have a voice in political affairs. But, assuredly, the middle and lower classes would feel that a constitution in which hon. Gentlemen would not suffer them to participate was not a constitution calculated for them. He had been accused of alluding unnecessarily to the formation of the other House of Parliament, and of recommending a creation of Peers. Whatever were his opinions on that subject, it was not he, but the hon. and learned Gentleman opposite, who had introduced it. In that quarter it was said, that, if Peers were to be created, at least sixty would be necessary to carry the Reform Bill. Now, he did not agree in the opinion, because he did not believe there was so much insanity in the other House. The hon. and learned Gentleman (Sir Charles Wetherell) had every reason to complain of the hon. Baronet (Sir Richard Vyvyan) having anticipated his most cogent arguments on that subject. Why had the hon. and learned Gentleman withdrawn his Motion? The hon. and learned Gentleman had deprecated all allusion to its subject—matter previous to his bringing it substantively forward, and yet had, for reasons best known to himself, carefully precluded the opportunity of discussion. He, for one, was anxious to express his opinion on the necessity and constitutional propriety of such an augmentation to the peerage as would secure the triumph of the national cause, and he was anxious that that House should, by its decision, enforce upon Ministers the conviction of that necessity and constitutional right. If the public weal required a Reform in the House of Commons—and who could deny that it did—it was equally important that such a Reform should also be effected in the House of Lords as the same public weal demanded; and it was the solemn duty of Ministers to take care that the constitutional prerogative of the Crown should be so exercised, that the country would be saved from the dire consequences of a second rejection of the great measure on which the heart of the people was set. That House and Ministers had done their duty, and the King was staunch and ready to do his; it only remained for the House of Lords not to neglect theirs. Let their Lordships remember, that it would be ruin to attempt to resist a united people, headed by a wise and beloved Monarch. In conclusion, he would say, that the Lords would do well to recollect the words of Burke, who had said, that the people would no longer submit to bad government because their ancestors had suffered worse, and that a time was coming when they would no longer tolerate hoary-headed and inveterate abuses, which could neither inspire reverence nor obtain respect.

Sir *Charles Wetherell* could not refrain from making a few observations, after the allusion which had just been made to him, or rather the attack which had just been made upon his opinions—opinions which he had asserted deliberately, and which he was prepared to maintain. He had been asked, why it was he had not proceeded with his Motion respecting the creation of Peers? In reply, he had to say, that he every day saw less and less likelihood that such a gross violation of the Constitution would take place; and certainly a greater violation could not be committed than that which had been referred to. It had been stated, that the creation would come with the Ides of March, but that appeared to have been a false prophecy. For his part, he thought, and hoped, the creation and the Greek Kalends would come together. He would undertake to convince, not the hon. Member for Hertford, for that would be a hopeless task, but the other Members of that House, that a more gross violation of the Constitution, that a more gross exercise of the royal prerogative, could not be made, than that of creating Peers—a proceeding which the hon. Member appeared to think was correct and proper. They had heard of schedule A and of schedule B in that House until they were sick of both one and the other of them, and he should not, therefore, press those schedules upon their attention, but he would give them a schedule of the Peers created already by the present Government—the Gentlemen who had been, he would not say, transported to the House of Lords, but who had gone from their seats in the House of Commons to take their places in the House of Peers. He should only premise that he had not made this schedule himself. That list he would call the Lords' schedule C, and it would be found to contain twenty-three Barons bold, who had been created for the express purpose of voting for the present Bill. There was Lord Saumarez, Lord Cloncurry. If hon. Members would use pencils, they might ticket them as he went along. Lords Dinorben, Templemore, Segrave, Mostyn, Wenlock, Poltimore, Panmure, Oakley, Howden, Hamilton, Ludlow, Dunmore, Chaworth, Kenlis, Dover, Rossie, Clements, Sefton, Fingal, and Kilmarnock. If these creations were not enough for the hon. Member, his appetite for creations must be great indeed. In his enumeration he had forgotten, or rather omitted, another name, which, though last, was not, and he spoke this in great sincerity, the least in importance: that was Lord Brougham and Vaux; who, though the baronies were conjunct, was individually distinct from both. When he recollected that several of those Peers had done what they considered their duty in that House, by voting there for Reform, he could scarcely think that they went to another place for the purpose of giving, in ermined robes, their votes for the same measure there. Perhaps, however, because they had voted as they thought conscientiously in the House of Commons, they might think it a righteous act to be turned over for a similar use to another place. He had been charged with stating conjectural numbers, in which he might have been wrong; and, indeed, it was scarcely possible for him to be otherwise, for who could tell the much-desired number? He felt great difficulty in describing the awkward transitions which had taken place, and it was, of course, impossible for him to tell what other, or if any more, were to take place. It was said, however, that Ministers had not created a sufficient number of Peers for their revolutionary purposes, and were called upon to bring out a wholesale batch of Reform creations. He regretted he did not possess the power of metaphor of the hon. member for Calne, or he might be able to show up such a creation in classical language, but being a plain man, was, therefore, compelled to illustrate his meaning with a rather homely simile. Hon. Members must betimes have observed their grooms or servants in the dignified and useful act of pitching hay with a stable-fork into the hay-loft, He had himself witnessed the curious operation that morning, and was struck by the marvellous dexterity with which the numerous trusses were pitched up from the hay-cart; and it struck him that the creation of Peers, which Ministers were urged to effect, might be likened to the operation of casting up the hay. His sentence, or metaphor, was not as perfect as he could wish, but what he meant was, that to cast up forty or fifty Peers to the House of Lords, for the purpose of carrying a particular measure, would be a far less dignified act than that he had attempted to describe. He did not mean to say, that the twenty-three creations to which he had just referred had been thus ignominiously pitched up (though there could be no doubt they were, to all intents and purposes, reform Peers); it might be rather a disagreeable and inconvenient task to toss up on the end of a pitch-fork such substantial Reformers as Lords Panmure or Poltimore; but he would say, that to act on the hon. Member's recommendation would be to lower the Peerage of England to the worst state of the peerage of France —that is, reduce them from their present lofty and constitutional position, to the condition of the mere tools and vassals of despotism—to the condition of the vile, degraded, pauper "nobles!" of France, who basely assisted to destroy their own monarchy. And was it for this purpose that Ministers were called upon to add some sixty Runnymede heroes to their twenty-three Barons bold of the coronation? Was it for this purpose that they were taunted by the great Reform journal, *The Times*, as sluggish jades, requiring spurs to be stuck in their sides. Now, he could not take it upon him to say, whether Ministers would or would not obey the command of their "approved good masters:" their friends said they would—their opponents said not. He was inclined to think they would not create any Peers; had he thought otherwise, nothing could have induced him to postpone his Motion. But this he would maintain—and he challenged the Attorney General, and every Member of the Government to boot, to maintain the negative—that, to create Peers for the purpose of carrying a particular question to which the House of Lords was hostile, would be a gross breach of constitutional law He defied the whole Cabinet to gainsay this declaration. He defied any man, read in the history of England to deny, that the acts which led to the just expulsion of James 2nd from the throne of these realms, were as tyrannical in principle as for the King now to exercise his prerogative for the purpose of destroying the free agency of the House of Lords. The Bill of Rights, which guarded them against the recurrence of the unconstitutional acts of James 2nd, would be violated by the creation of Peers just now recommended to Ministers. For what, said the Bill of Rights, with reference to the expelled monarch? Simply, that James 2nd, by "suspending the laws, and unconstitutionally interfering with their execution," had forfeited his right to the Throne. He should like to know whether swamping the House of Peers, so as to destroy its free agency, would not be a repetition of this conduct—whether, in fact, destroying the free agency of one estate or branch of the Legislature, was not "suspending the laws?" Then it was justly alleged against the last of the Stuart monarchs, that he had forfeited his Throne, because he had endeavoured, through the agency of corrupt Sheriffs, to "pack" the House of Commons, as well as Juries in the Courts below. This was a grave offence, for which James paid a heavy penalty; but was it an offence to pack a House of Commons or a Jury, and no offence against constitutional law to pack the House of Lords? He should like to hear his hon. friend, the Attorney General, who had broached the monstrous doctrine that the King might, by his mere prerogative, withhold writs from any boroughs he pleased, answer the question; and he should like to meet him and all his Ministerial allies on the main question, whether, to create Peers for the mere purpose of carrying the present Bill, would not be an act destructive of the free agency of a branch of the Legislature—and thence a violation of the Bill of Rights—and thence an act calling for the impeachment of its authors. The case of Lord Oxford would not avail Ministers if they adopted such a fatal policy, for that Minister owned the criminality of the Peerage creation of his time, but denied that it was the result of his personal counsel. If Earl Grey should be impeached for swamping the House of Lords by new creations, would he endeavour to escape, as Lord Oxford did, by saying that he was not the adviser of the Crown? If he were not the adviser, who was, then? Perhaps the odium of the proceeding would be cast upon the Lord Privy Seal; or it might be, that the noble Lord, the Chancellor of the Exchequer, would take the whole responsibility on himself, and step forward and say, "*In me convertite pœnam.*" But he concluded, from the complacent smile which was at that moment playing on the noble Lord's countenance, that he would not be the person to propose a creation of new Peers. Was Lord Brougham and Vaux to be charged with the crime of advising the Crown to such a measure? He was sure, that, if the noble and learned Lord imagined that an accusation of that kind was made against him, he would fall back aghast, The noble and learned Lord would, he was convinced, be confounded with astonishment at the bare supposition that he could be the person to affix the white wax, the blue wax, or the red wax, or the tri-coloured wax, to the patents of twenty or thirty new Peerages. The noble and learned Lord had a double duty to perform—he was the keeper of the King's conscience and of his own also, and he had to see that neither was violated. With reference to this part of the case, he had read a very able and spirited article in the *Edinburgh Review*, which was understood to be written by the noble and learned Lord, and which asserted, that it was by the means of that very borough influence which it was now proposed to remove, that collisions between the two Houses of Parliament were avoided. How, then, could the noble and learned Lord ever consent to put the King's seal to patents of creations, intended to swamp the House of Peers, and to carry a measure, the object of which was, to destroy those nomination boroughs of which the noble and learned Lord had expressed his approval? But it was not only in this article that the noble and learned Lord had stated his opinion of the utility of these boroughs. On a late occasion the noble and learned Lord asserted, in another place, in terms very little short of being explicit, that the borough demolition was not that part of the plan to which he was particularly partial. He supposed, therefore, that the noble Lord would not retract what he had written and spoken, and abuse the conscience of his master, and the conscience and judgment of himself, by consenting to the introduction into the House of Lords of a number of individuals, for the purpose of carrying into operation a plan which had received his denunciation. But he would ask the advocates of Peer-making, whether they had forgotten the case of Lord Middlesex? He begged to call the attention of the House to this important subject; because the friends of the Ministers were dragooning them—they were driving the Minister on at the point of the bayonet—the "spur" was not enough for them. Though it was clear that the House of Commons had the right to expel any of its Members for the commission of a crime, yet he would not go so far as positively to assert that the other House constitutionally possessed the same right. Many writers on the Constitution, however, maintained that the House of Lords had a constitutional right to expel any of its Members for crime. He would, however, content himself with calling the attention of the House to a case which actually occurred—he alluded to the case of the Lord High Treasurer of Middlesex, who was expelled from the House of Peers in the reign of James 1st, upon being convicted of certain malpractices in his office. It was true that Lord Oxford did not get expelled from the House of Lords for extinguishing the independence of that branch of the Legislature; but it might happen, that if any Minister should be bold enough to follow that precedent in the present time, he might be visited with the same punishment which was inflicted on the Lord Treasurer of Middlesex. If sixty Peers were to be thrown into the House of Lords by a sort of pellmell creation, he would have the individuals who were to be selected for that opprobrious distinction, recollect that the sixty Peers made by Charles 10th, were thrust out of the French House of Peers as soon as the revolution came. Could any man doubt that if any number of persons should degrade themselves so far as to permit themselves to be thrust into the House of Lords, for the purpose of carrying a particular measure, they would be treated as the servile vassals and ignominious tools of the Minister who sent them there; and would, in course of time, meet with the same fate as the Peers of Charles 10th? And who were the persons who clamoured for the creation of new Peers? The declaimers against nomination boroughs. The hon. and learned member for Calne had described the nomination boroughs as being as bad or worse than the Cholera Morbus; and yet it was the objectors to those boroughs who considered it quite legitimate to inundate the other House with any number of nomination Peers, sent up, some of them, perhaps, under a written obligation—all of them under the virtual obligation—of a promise to carry the Reform Bill; for that was the only means by which they could earn unenviable distinction. Could any Gentleman on the other side of the House—could any Reformer in that House or out of that House, without violating common decency, denounce that influence which exists in nomination boroughs, and, at the same time, consent to arm the Minister with a much more direct nomination? There were, undoubtedly, many individuals on the other side of the House who, at other times, and under other circumstances, would not be unfitted to be pitch-forked into the House of Peers; but if they were to permit themselves to be placed at the present moment, and for a particular purpose, in the new schedule of Peers, they would degrade their consciences and judgment, stigmatize themselves as Gentlemen, and carry with them everlasting opprobrium and disgrace, for having lent themselves to the commission of a most violently-unconstitutional act. But where were all the new Peers to come from? He could not say whether the Benches opposite constituted the arsenal from which the whole of the aristocratical ammunition was to be drawn; but this he did know, that if any Gentleman on the other side of the House, who acted an independent part, and stood well with the community, consented to be made Peers, they would exchange the invaluable merit of being estimable Members of Parliament, for the ignominious distinction of being degraded "Barons bold." But from what quarter, if not from the other side of the House, were these Runnymede heroes to come? *The Times* newspaper had called the Minister who was to make the new Peers a "jade"—a word which was synonymous with old woman. He, however, should rather compare him to Tarquin violating the chastity of Lucretia, and he, therefore, supposed that the author of the odious deed would be some young Cabinet Minister, and not an old woman. But he would venture to say, that no person would attempt to overwhelm the independence of the House of Lords, except such men as were prepared to bring the King into that dilemma in which the Bill of Rights placed James 2nd; for it would be as great an act of injustice and tyranny, and as extravagant an infringement of the constitutional law and liberty of the realm, as any act committed by that Sovereign. If such a proceeding should be attempted, base and recreant would be the present House, or any future House of Commons, which should neglect to take the subject into its most serious and grave consideration. He would now leave this part of the case, and proceed to draw the attention of the House to a subject intimately connected with the Reform Bill—he alluded to the recent landing of the French at Ancona. He would soon show the Gentlemen on the other side of the House the connexion which existed between the two things. Did they recollect the recommendation made by the Prime Minister to the Bishops of a Protestant Church, in order to influence their votes? Did they remember that he told them in the House of Lords "to set their house in order?"

Lord *Althorp* said, that the hon. and learned Gentleman was violating the Orders of the House by alluding to what took place in the House of Peers.

Sir *Charles Wetherell* admitted that he did wrong to name the place; he should have said elsewhere. He would, in the few observations which he had yet to deliver, endeavour to satisfy the noble Lord, by keeping himself strictly within the Orders of the House. He would, therefore, not designate the place in which the recommendation he had alluded to was made, but he would say, that in some place, no matter where, the Prime Minister of a country, in which there were a Parliament and a Protestant Church, gave the Bishops of that Church to understand that it was time to set their houses in order. History also related that the admonition was followed, and that the house of one of the Protestant Bishops was, indeed, set in an odd kind of order—an order which consisted in the demolition of his house, and, what was worse than all, the destruction of his valuable manuscript sermons. The precedent was soon followed by the minister of another country, who thought that as the Premier of this country had recommended to the Protestant Bishops to keep their houses in order, he might as well send some men to keep the house of the Catholic Bishop of Rome (the Pope) in order. He was neither an eulogist nor apologist of Casimir Perier; but it appeared to him that Casimir Perier had done no more in Italy than some persons had done in England. The French availed themselves of the opportunity which agitation in England, encouraged, if not produced by Ministers, afforded them for doing that which they never would have ventured to have done had they not seen that the British Government had been tampering with the internal state and Constitution of the country. It was the Reform Bill, therefore, which had excited the French to take a step, which Casimir Perier never would have ventured, had this country been governed by any other Administration than the present. There were other evils to which he might allude as growing out of the agitation produced by this Bill. He might say the colonies of this country were melting away. It was a curious fact, but not less true, that those who contended for universal Representation had resolved that the colonies, the sources of our wealth in the East and West Indies, should remain unrepresented. The unhappy Ganges, whose waters conveyed millions annually to this country, and whose banks abounded with the treasures of commerce, the Ganges which flowed through a space of 100 leagues, and had an immense population on its borders, was to be left without a single Representative; while the Tyne—happy Tyne—was blessed with eight or ten Members. But did any man imagine that Great Britain could preserve her colonies, unless they had in the Legislature persons who, being acquainted with their interests and wants, might be their protectors and conservators? Was a population of so many millions—was so much wealth, and were commercial interests of such magnitude to be henceforth contented with the Legislature in which there would be not one person connected with them, or capable of making their wishes understood there? They would not be contented. That Bill would, therefore, reduce Britain to the state of geographical separation, in which it was described to be by Virgil in his *Eclogues*:—

> "Penitus toto divisos orbe Britannos."

He would not trespass further on the House. He had briefly touched on the topics involving the most danger from this Bill [*laughter*]. He regretted that he could not satisfy the Gentlemen in the Ministerial gallery. There were some galleries in which persons obtained seats at a cheap rate—a single shilling—and so elevated that for that small sum people arrived at their *apotheosis*. He could not suppose such galleries were found in that House, or that Gentlemen came there to enjoy the amusements of the gods. Those Gentlemen were not concerned in the colonies. They had no plantations to be burnt down in Jamaica; no property in the East Indies. Returning to the question, he should say the Reform Bill would abstract England from herself, and all the world. Their foreign territories were in danger. Their colonists were in search of new protectors, because they could not find British protection. He had spoken of the adverse and unsocial policy which grew out of the Reform Bill, under a firm conviction that the advocates of that measure were destroying the best interests of the country.

The *Attorney General* said, that the hon. and learned Gentleman who last addressed the House had alluded to places of amusement in which the spectators paid 2*s*., or 1*s*. for their seat, according to the height of the gallery in which they sat; but surely in none of those places were the entertainments more amusing than that which had just been afforded to the House by the hon. and learned Gentleman himself. He had travelled from Thebes to Athens, from the Tyne to the Ganges, and from the House of Lords to Ancona, and he had discoursed somewhat upon the principle of non-intervention, and upon the Representation of the colonies, but he had studiously avoided the subject under the consideration of the House. Considering that the hon. member for Hertford had started the hare in the thicketsof his own neighbourhood, and had introduced the subject of the Peerage quite unexpectedly, it was fortunate that his hon. and learned friend, who could not have foreseen the allusion, had been led to prepare himself for it by some active instinct, in obedience to which, he furnished himself with the names of the persons who had been last raised to the Peerage. He would not follow his hon. and learned friend into the remarks with which he accompanied his mention of those names. With respect to the noble Lord now sitting upon the Woolsack, towards whom his hon. and learned friend professed to entertain the most kindly feelings, whilst he alluded with great good humour to an article in *The Edinburgh Review*, of which he first doubted, and afterwards assumed that noble and learned Lord to be the author, he would say nothing, because that noble and learned Lord needed neither defender nor advocate. But this he must say, that if his hon. friend could persuade himself, even with all the excitement which the thought of schedule A might occasion, that anything which was at that time in contemplation by his Majesty's Government called for articles of impeachment, let the Ministers of the Crown bear all the responsibility; but let not the Crown be endangered by language such as had been lately heard in that House. Much had been said of threats and menaces, and many miserable complaints had been heard that the people called on their Representatives to do their duty. But what was to be said of the threats and menaces, which had been used for the purposes of deterring, from that which he regarded as his duty to his people, the illustrious Person—

> ———" quem non potuêre phalanges
> Sternere"———

The Earl of Oxford stood the brunt of an impeachment, and so would the Ministers of the present day, if their opponents were prepared to bring it forward. But the Earl of Oxford made a mean and disgraceful defence—he sacrificed his Queen whose fault was, that she was too partial to him. But no such defence would be made on this occasion by those against whom the hon. and learned Gentleman had threatened to bring forward such a charge. This was not the first time that that noble individual—noble for his steadiness and firmness, as for his elevated character—had been assailed by language which no gentleman ought to have applied to him. He had heard it said, that if this Bill passed—if the King gave his consent to the Reform Bill—his Crown would pass away. No; it would be more firmly bound by the attachment of the people. He had heard it said, with reference to the language of Scripture, that on the day when the King gave his final assent to the Reform Bill, he would see the hand-writing on the wall, and would cease to reign. Was that, he asked, not a menace? And was it in that House that such accusations as these were to be made for the sake of wounding the feelings of his Majesty with impunity. Into the question of the Bill of Rights, he (the Attorney General) would not enter. Could any Gentleman, could any Member for any disfranchised borough in schedule A, undertake to say, that the discussion of the Bill of Rights had anything to do with the question of the third reading of this Bill? Neither should he enter into any discussion about the making of Peers. It was the Crown's prerogative to make Peers, and it must be done under the advice of responsible Ministers; and, therefore, to bring the matter forward in the House of Commons before any such measure had been taken, was unexampled, indecent, unconstitutional, and highly disorderly. A more perfectly futile argument he had never heard than that which had fallen from his hon. and learned friend. To say, that the Bill of Rights had anything to do with the question before the House was absurd; nor could he (the Attorney General) see for what reason it was brought forward, except for the invidious purpose of introducing the name of an abdicated King. What was the amount of the argument against the third reading of the Bill? That there had been delay and suspense—and no doubt there had been—and that it was a great inconvenience to the country. He was not going to inquire from whom the delay and suspense originated, or on whom they were to be charged. But if suspense were a matter of complaint, why not put an end to it, either by adopting the Bill or rejecting it? In the course of his long speech, his hon. and learned friend did not devote more than fifteen minutes to the consideration of the Bill before the House. He now complained that the colonies were left unrepresented; but it was somewhat extraordinary that he had never before, during the course of the last thirteen months, said a word upon this subject. The hon. member for Middlesex was the only person who ever brought forward a proposition for giving Representatives to the colonies, and he repented of his Motion the day after he had submitted it to the House. A new light, therefore, had been thrown in on his hon. and learned friend (Sir Charles Wetherell) on this point. It appeared to have been quite forgotten by those who argued for the expediency of colonial Representation, that under the admirable and perfect system which had hitherto existed, and which the opponents of this Bill were so anxious should continue unaltered, the colonies had nothing but virtual Representation. It also appeared to be forgotten that it was during the existence of that excellent system of virtual Representation that the American colonies were lost to this country. Having thus briefly alluded to the various topics of which the argument of his hon. and learned friend was composed, he left it to the House to form its own judgment as to how far it was right of his hon. and learned friend to enter upon the discussions of those topics, at this stage of the Bill. For his own part, he owned he was quite surprised at the course which the debate had taken. After all the discussions which had taken place—after the principle had been discussed on three several occasions upon Motions for a second reading—after the protest of the right hon. member for Aldeburgh (Mr. Croker), comprehending all the objections of that right hon. Gentleman and his friends to the principle and details of the Bill, he did expect that the discussion on the third reading would have taken a very different turn. He had expected that hon. Members who were opposed to the measure would have argued that, although the Bill had been read a second time, it ought not to be read a third time. He had heard no such arguments, however, from any Gentleman who had addressed the House. He did not say, that the Bill was perfect—no measure of the kind could be perfect; but the objections were quite wonderful for their paucity and trivial character. With all the desire which the authors of this measure had to render it perfect, and with all the eagerness which the opponents of the measure had to suggest objections, it was quite wonderful how little alteration had been made in the Bill from its first introduction. The Bill was not so much the Bill of Ministers as of the House of Commons. After the appeal to the constituent body on the question of Reform, and the manner in which that appeal had been answered, the House became the parent of the Bill; but when it was asserted that the majority came in pledged blindly to support the Bill, he must be allowed to dissent from that proposition. The Ministers were outvoted on the tenant-at-will clause, and he was glad they were, for he considered that the country Gentlemen now stood pledged not to interfere with the conscientious votes of their tenants by ejecting them. The majority had not blindly supported the Ministry on this Bill; and he repeated, that any one who compared it at first, and at the last, must be surprised how little essential alteration had been made in it. That view of the question, however, he admitted was comparatively unimportant. The principal consideration was whether the Bill in its present shape, would effect the great objects for which it was intended? He was prepared to argue that the Bill would effect those objects, but he had heard no arguments to show that it would not. It was said in the course of the debate that it would be a severe reflection on our ancestors to say, that corrupt sales of seats in that House, had been made by borough proprietors. The Catholic Relief Bill, and the Repeal of the Test Acts, according to this doctrine, were also reflections on our ancestors, and on our near ancestors too. In fact, no improvement could be made in any of the existing institutions which did not convey such a reflection on those who had gone before; and the right hon. Baronet the member for Tamworth (Sir Robert Peel), had rendered himself liable to such an imputation by his amendments of the criminal law. There were some objections made in the course of the debate, which were equally applicable to any proposition for Reform, and which he confessed he had not expected to hear. It was said, that the Nabob of Arcot ought to have Members in that House to represent him. If seats were to be sold, there was no reason, certainly, why the Nabob of Arcot might not have his Representatives; and, on the same principle, Don Miguel, the beloved Ferdinand, and all the other potentates in the world, might be represented in that House, and the Ganges might be better represented than the Tyne. Some regret would probably be by and by expressed that the religion of Bramah was not represented; and he supposed that, according to this liberal doctrine, the humane practice of burning widows should have an advocate in that House, and the use of the scourge in the West Indies should be considered as the symbol of freedom, whilst the Orders of Council were treated as a Russian ukase. He had merely alluded to these matters, to show the sentiments entertained with respect to freedom by those who opposed the Reform Bill, and without wishing it to be understood that he considered them as bearing on the principle of this great measure. But then it was said, that the Reform Bill should not be discussed in a time of excitement. To this he answered, that the discussion of this very subject produced excitement; and that, if it were not to be discussed in a time of excitement, it could never be discussed at all. He denied, however, that the principle of Reform had brought on the excitement. Before any measure of Reform was introduced, the public mind was in a state of great turbulence and excitement, and that excitement was tranquillized by the introduction of the Reform Bill, which acted like a charm. It was the Opposition which produced the excitement on this question—an opposition on the part of those who were considered by the people as interested judges deciding in their own cause. Another objection to the Bill had been, that it was an untried scheme, and, therefore, should not be passed; but that was one of the objections, which applied equally to every measure of Reform. But then it was said, that the Reform might have been gradual. He put it to any reasonable man, however, if the peace of the country would have been better secured if Reform had been doled out piecemeal? What would this be but to leave the question for ever unsettled? It was said the country would have been satisfied with a less measure; but those who used that argument had never described the measure they were prepared to bring forward in lieu of the present. It was impossible, therefore, to adopt a measure the principle of which they could not know, and were at a loss to conceive, as a substitute for one which had met with the universal approbation of the people of England. That this measure had obtained the approbation of a great majority of the people of England he had expected would not now be denied. Those who opposed the Bill said that House already represented the people of England. Of the Members of that House then (deducting those who were interested for places affected by the Bill, and which they defended) how large a majority had voted in favour of the measure. As to its probable effect he had no doubt that, in every fair and reasonable sense of the word, it would be a final measure. He did not think that popular feeling would come, as had been said, with a force like that of the waves of the sea, and make further encroachments on our existing institutions. Such a result would be prevented by a generous concession in the first instance. When it was said, that the measure would not be final, he wished to ask why it should not be final? He who wore the Crown, could not be anxious that it should not be final. Ministers who exercised the power of the Crown must be anxious that it should be final; and the middle and the working classes, having seen the effects in other countries of even the most justifiable revolution, had been taught a lesson which they were intelligent enough to learn and could not easily forget, and which must make them desire that this measure should be final. He believed that much of the opposition to this measure had proceeded from ignorance of the feelings of the people, and that this ignorance of the higher classes was to be ascribed to the state of the Representation. The only knowledge the higher classes possessed, as to the feelings of the lower classes, was that obtained by contact with those voters, who were ready to barter their privileges for the basest consideration. In his opinion the measure would not only satisfy the people, but establish the Constitution on a permanent basis. It only remained now for the House of Commons to read it a third time, and send it up to the other House with a majority which would show how much the Representatives of the people appreciated the measure. The majority, he repeated, had not acted blindly on this occasion, for they had improved the Bill in many respects since it was first introduced. By passing it he was convinced that the law would be more respected and the Constitution better secured. The Legislature, by adopting this measure, would act on the only real conservative principle—the benefit of the people: and, if it was carried, he hoped and trusted it would tend to establish and preserve the Constitution of this country in grandeur and strength to the most remote period.

Mr. *Perceval:* In whose name do you sit here? In whose name do you sit here? In his name, at the mention of whom, with bitter taunts [*cries of* "*Question*"]; and think ye, for one moment, that sitting here, in that forgetfulness of Him from whom alone all counsel, wisdom, and might proceed—think ye—think ye—think ye—[*cries of* "*Question*," "*Go on*," "*Divide*."]

Lord *Althorp:* I apprehend it is the intention of the hon. Member to move an adjournment. If that is his object I shall not oppose it [*cries of* "*Go on*," "*Adjourn*."]

Mr. *Perceval:* Do you expect His blessing on this nation; do you expect His blessing on your counsels, whilst you are employed in the greatest of all works, establishing the basis of a Constitution—the greatest work of human counsel and human wisdom, which man is called on to perform? Do you believe for one instant, that you will experience that blessing, whilst in utter forgetfulness of Him who ought most to be borne in mind? Think ye, if that thing be true which is written, "except the Lord build the house they labour in vain that build it; except the Lord keep the city, the watchman waketh but in vain," think ye, if that Scripture be true, that this your work can be blessed, or that the fruits which ye expect from it can come to good? How standeth the account of the House with its God at this time? Twice have ye, the Commons of England, been called upon, but twice have ye been called upon in vain, to humble yourselves before your God, and to seek his blessing in contrition and repentance [loud cries of "*Question*," amidst considerable confusion, occasioned by a number of Members leaving the House.] Ye depart, do ye, when the name of your God is mentioned? Ye would have sat till five o'clock, and till six o'clock in the morning, had not his name been mentioned, listening to the tongues of men tinkling like idle cymbals.

Mr. *Hunt* here rose to order. As they were now approaching the fast day, he would suggest to the hon. Member that his object would be better obtained by the adjournment of the House. He would, therefore move that the House do now adjourn.

Mr. *Percival:* Sir, it is not my intention to move an adjournment. Ye would sit here till five in the morning in idle dissertations on this Bill. Will ye not listen for a few moments to one who speaketh in the name of the Lord? I stand here to warn you of the righteous judgment of God, which is coming on you, and which is now near at hand. Do ye think that I stand here relying on my own strength to keep ye attentive, or that I have power of myself to force 500 of ye to listen to my trembling accents? Would I stand here alone, as it seemeth to me, among men, if I stood not in the reliance of that God by whose despised love I entreat ye to listen to my appeal? Ye may cast off that appeal—ye may despise me for making it—but, strong in the cause of my God, make it I will. I stand here in the strength of one who puts his whole hope in Jehovah. Twice have ye, the Commons of England, refused to humble yourselves before your God. Mark, mark, mark, how your God hath caused ye to show your contempt of him. Ye have in the midst of you a scourge of pestilence, which has crossed the world to reach ye. Ye brought a bill into the House to retard its approaches, and ye refused in that bill to insert a recognition of your God—ye would not make an acknowledgment of his providence, and ye cast his name out of your book. I told Ministers it was not God they worshipped. The people is the god before whom they bow down in absurd and degraded worship. [Several Members surrounded Mr. Perceval, and apparently professing the great respect which they felt for him, requested him to desist from his extraordinary mode of proceeding; but Mr. Perceval proceeded nearly as follows.] "What I am now saying is most fitting to be considered on this your question. I am endeavouring to point out to ye the reasons why ye can expect no blessing from God on this your work. In the English bill the name of God was omitted; and why? Because the people of England called for its omission. In the Scotch Bill the name of God was inserted: and why? Because the people of Scotland—alas! that they should be more religious than my countrymen—called for its insertion: and, therefore, is it proved that it was not for the recognition of the power of God, but for the recognition of the power of the people, that the insertion was made in the Scotch bill. I have shown God to this House, I have shown the House how its account standeth before the God whom it ought to serve—I have shown how it hath twice offended against God, and twice deserved exemplary punishment. Ye have appointed a fast; but I tell ye that that fast is, in the eye of God, a solemn mockery, which he will not away with. I tell ye that it was not in the heart of the King's Council to humble themselves before God, and I tell them that he is not a God to be mocked at. He searcheth the heart of man — and this House knows full well that it was not in the Council of the King to humble themselves before God. They were not approaching him in the spirit of contrition, repentance, and humiliation. They had not sought him either by day or by night; and it has not been for a voluntary humiliation before God—it has not been because they feel ashamed of their iniquities—it has not been because they tremble at their offences—it has not been because they see in the cholera a scourge which is hanging over the land, or the disturbances of the country signs of God's approaching judgments, that they reluctantly determined to appoint a fast; and, therefore, it is that I tell them that this mockery of religion God will not away with, he will bring on them fasting and humiliation, woe and sorrow, weeping and lamentation, flame and confusion, which, if they had turned in right earnest from the wickedness of their path, he would have averted from them. But, Commons of England, ye have cast God of your own accord from you, and I tell you that in consequence this work which ye have now in hand cannot be blest—the curse of God is upon it. It hath been hanging over the country as a curse from the first day on which the Bill was introduced, and a curse it hath been upon the country from that time to this. [*Cries of* "*Adjourn.*"] I told the House that I rose to address it not in strength of my own. I have committed myself to this task with much prayer and after much meditation, and I will not be turned from it by the solicitations of men. I tell ye that this land will soon be desolate; a little time and ye shall howl one and all in your streets. I tell ye that the pestilence, which God is now holding in, will be let loose among ye, and that the sword will follow it. I tell ye these things; they are the words of your God. I tell the House more than this: the Church of the land shall be laid low, for she hath corrupted her way before God. She hath played the harlot with the stranger; and she has leant on the arm of flesh for her support. Wherefore, when the hour of retribution arriveth, she shall be punished by the arm of God. These things of which I have spoken to ye, your eyes will see. Therefore, trouble yourselves not with this Bill; for this which I have told ye is your doom. Ye may think me mad, and ridicule me as a man beside himself; but an hour is coming, and that shortly, when ye shall see whether what I speak cometh from myself or from God. I tell ye, who are rulers of this land, more. Ye have sworn to be faithful servants of your King. God looketh into your hearts, and seeth that ye care not for him. He seeth that ye think that ye have got your Sovereign into a net, but—

Mr. *Shaw* rose and said, perhaps his hon. friend would allow him, in a spirit of the most entire admiration of his own motives, to entreat that he would not himself make the House act contrary to the spirit in which he was anxious that the debate should conclude. He assured his hon. friend that he would not leave the House from the motive which he would attribute to him, namely because he wished not to hear the name of God mentioned within these walls, or because it had been mentioned; but because he thought it to be his duty now to leave the House, and he entreated his hon. friend to allow every Member to retire who wished to keep the day in the manner in which his hon. friend was desirous it should be kept.

Mr. *Perceval* proceeded. I tell ye that the rulers of the land think that their Sovereign is in the net. But they deceive themselves. He is the Lord's anointed, and they shall not hold, though they now encircle him. There are men who on this fast day will fast in earnest, and humble themselves in contrition and repentance; and I tell ye that as scorn and mockery will fall on the mockers, so the blessings of Heaven will come down in an abundant shower upon those who present to the throne of grace humble supplications; and I now call upon ye to flee from your present system of forgetting your God; and from that storm which will soon rage around ye, I call upon ye to take shelter in the arms of that God who yearns to save ye. Where is his honour? Where is the respect due to his name? Does his son Jesus, who let his blood fall upon the ground for ye like water, in order that ye might have eternal life and glory, receive from ye that respect which ye ought in gratitude to pay him? I pray ye to turn to his love before it is too late; for be ye assured that the storm is coming, and that he is nigh, who is at once your God, your Saviour, and your Judge.

An *Hon. Member* rose and said, that there were strangers in the House.

The Speaker ordered strangers to withdraw, and Mr. Perceval instantly ceased, and left the House.

Debate adjourned to Thursday.

[Indescribable confusion prevailed during great part of the hon. Gentleman's speech. The Members stood grouped on the floor, or in the galleries eagerly observing him, and the cries of "Order," and "Adjourn," together with the noise caused by Gentlemen retiring, occasioned frequent interruptions, and rendered some of the hon. Gentleman's observations inaudible in the gallery.]

HOUSE OF LORDS,
Thursday, March 22, 1832.

MINUTES.] Returns ordered. On the Motion of the Marquis of LANSDOWN, of the Amount of the Assessed Taxes in Dartmouth, for the years 1829, 1830, and 1831; Memorials of the Inhabitants of Ramsgate and Greenock, and of the Burgesses of Appleby, the amount of Population and Number of Houses in the present and proposed Boroughs; amount of Exemptions from Assessed Taxes on Account of Yeomanry Cavalry; a Summary of what the Returning Officer considered the Right of Voting, with a Plan of Bodmin, the Number of Voters polled at the last contested Elections, and the Number of Freemen in Boroughs and Corporate Towns:—On the Motion of Lord ELLENBOROUGH, of the Number of Vessels employed in the Repression of the Slave Trade by Spain, Portugal, the Netherlands, Brazil, and France, with Copies of the Special Orders issued to their Commanders.

Petitions presented. By the Marquis of LONDONDERRY, from Merchants, Shipowners, and others, of the Town of Belfast, interested in the Trade of the West-Indies, for a reduction of the Duties on West-India produce:—By the Marquis of LANSDOWN, from the Inhabitants of Moyanna and Stradbally, for the Abolition of Tithes; and from the East-India Company, to be heard by Counsel against certain parts of the Zemindar of Nozeed's Bill:—By the Duke of WELLINGTON, from Wellington. By Viscount LORTON, from the Clergy, Landowners, and Inhabitants of Bruera, and Foxearth.—By the Bishop of CHESTER, from the Mayor and Inhabitants of Chester. By Lord BEXLEY, from Reading and Maidenhead. By the Earl of RODEN, from Wareham; from the Presbyterians of Drumquin, Tyrone; Bandon, Cork; Monaghan; the Presbyterians of Renshaw, Down, and of Drum, Monaghan; and Renfin, Kennail. By the Earl of WICKLOW, from Murrough, against the New plan of Education in Ireland:—By the Bishop of CHESTER, from the Inhabitants of Blackburn, against the Anatomy Bill.

DUBLIN COAL TRADE BILL.] Lord Auckland moved, that the House resolve itself into a Committee on this Bill.

Lord *Ellenborough* regretted, that the Bill had been so long delayed in coming before their Lordships, as he understood there was now a necessity for passing it forthwith. Under such circumstances, he would not move the Amendment, which he thought the Bill required, upon receiving an assurance from his noble friend, that he would look into the question, so far as regarded compensation to the individuals who claimed it; and, that if his noble friend should be satisfied that the fees were legal, that he would use his influence with Government to cause justice to be done to them.

Lord *Auckland* said, the delay complained of by his noble friend was occasioned by the necessity of examining into the allegations of those persons who petitioned against the Bill. As to the assurance, which his noble friend required, he had no hesitation in giving it, and he pledged himself that the question of compensation should be considered.

Lord *Ellenborough* was quite satisfied with that assurance, because, he was sure that the question would be fairly considered. If it was to be left entirely to the Law Officers of Ireland, they might be biassed by party feelings.

Lord *Plunkett* thought the noble Lord was hardly justified in throwing out such insinuations, he surely did not mean to impute improper motives to these individuals, although his remarks sounded very like it.

Lord *Ellenborough* understood from the most authentic reports of what passed in Parliament, that the Solicitor General of Ireland had already given an opinion in his place, not very favourable to the petitioners, but his main objection rested to the legal advisers of the Crown, in their official capacity, deciding on the property of individuals. These persons were notoriously more or less connected with party, and this question had been taken up as a party question. He, therefore, thought a more impartial tribunal ought to be selected than the Law Officers of the Crown.

Lord *Auckland* said, they had followed the usual course adopted upon all such occasions. The opinions to be taken would, of course, be the opinions of the Law Officers of the Crown, and they had no other means of proceeding in this Case.

Bill went through the Committee, and was reported.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] The Order of the Day for the consideration of the new system of Education in Ireland, was read.

The Earl of *Wicklow* said, he should feel that he owed an apology to their Lordships for bringing under their consideration a subject which had been recently much discussed incidentally on the presentation of Petitions, were it not that he was strongly impressed with its importance, not only to the future welfare of the country, but to the immediate tranquillity of Ireland. On one point they were all agreed, that to a sound and moral education of the people, rather than to any other course, which the Legislature could adopt, they were to look forward for the future improvement and future tranquillity of the country. But while they all concurred in this general proposition, they were lamentably at variance as to the best mode in which education could be imparted to the people. Had nothing been done up to the present moment, were the ground a mere waste on which they proposed to construct their edifice, they might well pause before they determined in a matter of so much importance upon any plan of proceeding. But when they found the ground occupied with a system of Scriptural education, and when they found that the hierarchy of the Established Church, that the Protestants of all classes, both Episcopalian and Presbyterian, felt the deepest conviction that no system of education which excluded the reading of the Holy Scriptures, was fit to be adopted by a Christian community, there was surely abundant reason why that plan should not be done away, without the most convincing evidence that it was unfit for its purpose. They were told, that the Roman Catholics considered the reading of the Sacred Scriptures to be repugnant and hostile to their religion, and this contrariety of opinion seemed to present a barrier against the introduction of any general system of education nearly insuperable. In consideration of this unfortunate impediment, it had been suggested that two different systems should be introduced—one for the children of Protestants, and the other for the children of Roman Catholics. But here again there arose a difficulty, for they were met at the outset by a declaration of the Roman Catholic Bishops, and particularly of Dr. Doyle, that the separation of the people for the purpose of education was evidently injudicious, and that such separation was calculated to destroy some of the best principles in the mind of man. But he would ask, why were they called upon now to discuss the merits of a new system of education? What had become of the large grants of money made by Parliament for many years for this beneficial purpose. Had those grants been unproductive? No; he would assert that those grants had been highly advantageous, and, that the Society to which they were intrusted had ably, conscientiously, and successfully discharged its duty. The first parliamentary grant was in the year 1816, and from that time to the year 1825 not a whisper against the Kildare-street Society had been heard. At the latter period, however, a sudden determination sprung up to oppose it by all possible means, principally on the part of the demagogues and agitators in Ireland. From that time to the year 1831 the clamour against the Society increased, and, although it could clearly be shown that the benefits which their system bestowed upon the country had increased in an equal rate with that clamour, the Government had all at once determined to abolish the Society, and supersede the existing system. When they inquired the reasons why the Society was to be dissolved, they were told, first, that it had been partial in its conduct; secondly, that the people took but little interest in its success, inasmuch as the voluntary subscriptions for its support were inconsiderable in proportion to the amount of the grants; and, in the third place, that the system of the Society was objected to on the part of the Roman Catholics. Now, in reply to the first of these allegations, he would say, that all the transactions of the Society were open; that the knowledge of its proceedings was accessible alike to Protestants and to Roman Catholics; that, therefore, had there been any instance of partiality, it could easily have been pointed out; and, that in fact, no such instance had ever been pointed out. The fact undoubtedly was, that half the children educated in the Society's schools were the children of persons of the Protestant persuasion; but this disproportionate number of Protestant children was only a proof that the Protestants were the more civilized part of the community, and thence more anxious than the Roman Catholics for the education of their children, and no proof whatever that the Society acted with partiality. Then the second allegation was, that the subscriptions were small; and no doubt the direct subscriptions to the funds of the Society were so. The object of the institution was to encourage local exertions in the establishment of schools; and there had been no less than from 1,600 to 1,700 schools established in connection with the Society. Their Lordships might then very well conceive that the expenditure of local patrons must have been very large indeed in comparison with the grant. He now came to the third reason alleged for the dissolution of the Society—that its system had incurred the disapprobation of the Roman Catholics. He had already stated, that it was not until 1825—nine years after the system had been in operation—that this disapprobation had been expressed. So far from the Society having been opposed by the Roman Catholics, the fact was, that it had at first been objected to by the High-Church party, as too favourable to the Roman Catholics; and he declared, that, at the time when he put his schools, or, rather he should say, the schools on his estate, in connection with the Society, he thought he did an act favourable to the Roman Catholics, and it was, he knew, so considered by them. Then why was it, he repeated, that the system had been abandoned? He would tell their Lordships the reason, and the only one. It was to please the demagogues and the agitators. The new system was a base submission to the clamour of faction. The noble Lords opposite would deny this, and say, as they had said before, that they had acted in pursuance of the authority of successive Commissions of inquiry. This was the whole argument of his noble and learned friend, the Lord Chancellor of Ireland. His noble and learned friend did wisely in taking this ground, for it was only by this means that his Majesty's Government could escape that charge of rashness to which hey would have been justly liable, had hey, while yet so young in office, ventured pon their own information and authority, o adopt a measure of so much importance. Then what justification of the measure was to be found in the Reports of these successive Commissions? There had been three of these Commissions: the first was that of 1812, at the head of which, stood the name of the Lord Primate of Ireland. This Board did adopt some Resolutions very similar to some parts of the present system. They recommended the use of selections from the Scriptures in lieu of the whole Bible. But they went no further. And the Kildare-street Society adopted the entire spirit of their resolutions; and so satisfied was the Parliament that this was the case, that a Report of a Committee of the House of Commons, in sanctioning the recommendation of the Commissioners, was expressed in almost the same words as the report of the Kildare-place Society. Then there was the report of another education Commission, which expressly said, that there was no reason to object to the system of the Kildare-street Society. The next Board of Commissioners was in 1825. He admitted that it was composed of very able and intelligent men, who promulgated almost the same principles as those in Mr. Stanley's letter. But what did they do? Did they recommend the abolition of the Kildare-street Society? No such thing. But after two years consideration, in 1827 they determined to try the effect of their own system as a separate experiment. And two years after this, they reported, that the experiment had wholly failed, and, that they had determined to desist from its further prosecution. This Report, acknowledging the failure of the system, was signed by every member of the Board. Yet this was the example by which his Majesty's Ministers were led—this, which was a beacon to warn them off, and not a guide to follow. Another Commission sat in 1828, under the Government of the noble Duke below him of which the then Irish Secretary was Chairman. It came to a Resolution recommending that copies of the New Testament should be introduced for the use of the children, under the care of their respective teachers—the Protestant version to the Protestant children, and the Douay edition for the Catholics. He wished to call the attention of the House to the difference between that recommendation and the letter of Mr. Stanley. The one proposed that the Scriptures should be read in a qualified manner, but Mr. Stanley did not say one word about it. He took up various other parts of the Report, but he carefully left out all which appertained to the most important consideration. He might, perhaps, be told, that the new Board did not prohibit religious instruction, inasmuch as two days in the week were appointed for that purpose; but the House would soon see how inefficient such a proposition was, when they considered that the new system was founded in opposition to a Society, which required the use of the Scriptures; and, when Mr. Stanley's letter alleged that the reading of the Scriptures without note or comment, would be objected to by the Roman Catholics, the friends to the new system could triumphantly appeal to the Reports of the various Commissions. But, if he were to grant, for the argument's sake, that these recommendations were entitled to respect, he must, at the same time, appeal from the Reports to the Governments that appointed the Boards, and ask why it was, that the respective Governments did not act upon them? He put that question more particularly in reference to the Government of the noble Duke, and he thought, he might answer for the noble Duke, that he was anxious to make some improvements in the system of education, that he tried various means to effect it, that he looked to the Reports of the Boards with attention, but, that he hesitated before he rashly adopted the recommendations contained in them; and, in short, the caution of the noble Duke was so great, that, up to the last moment of his Administration, there was neither a change made nor any prospect of its being introduced. No sooner, however, did the late Government go out of office, and no sooner was the fresh Administration in possession of it, than the work of havoc began; the axe was laid to the root of all our institutions, revolution, under the name of reform, became the order of the day—reform in finance—reform in foreign and domestic policy—reform in Parliament, in Church and State—lastly, reform in the system of education. Nothing was too great for their Ministerial comprehension, nothing too small for their inquisitorial execution. In their Reform mania the system of education in Ireland, which had rendered so much actual good, was subverted, and a system of theory placed in its room. When he stated, that the Roman Catholics were not averse to the system of the Kildare-street Society, he must admit that a large portion of the priesthood were hostile to it; several of the children were removed, though the parents, in other instances, refused to withdraw them. So far as his own experience went, he did not know an instance of any child being removed in his neighbourhood, but he was in possession of a memorial from several heads of families complaining that attempts were made by the Priests to keep their children away from school. He was aware that he might be asked, did he mean to excite the people against their Priests, and to discharge them from the influence of that body. To that, he could only reply by asking in his turn, if the authority of the Priests, if the influence of the Papist Church, seemed to decline, was it becoming that a Protestant Legislature should labour to revive it? was it right, when the fetters of superstition were worn out, to forge them anew? was it wise, when light was breaking in upon a benighted nation, again wilfully to replunge that nation into darkness? Should it be said, that, when the influence of the Papist Priests in Ireland was beginning to decay, a Whig Government infused new life and vigour into their system. He confessed, however, that he should not desire to see the Roman Catholic people of Ireland pass from under the dominion of Priests to that of demagogues. This would be a change from some religion to none—from some subordination to entire anarchy—from some restraint to the unbounded dominion of lawless passion. But were they utterly to despair of seeing the influence of the Roman Catholic Priesthood in Ireland impaired by the gradual and general influence of education and knowledge? He would not advocate the policy of introducing a system of proselytism under the name and disguise of a system of national education, but neither would he employ the authority of the State to prevent proselytism. What, he would ask, produced the Reformation? What, but the progressive weight and authority of truth? And because the light of truth was burning brighter and brighter each succeeding year, were they to be called upon to extinguish it? If his Majesty's Ministers had grounds for believing that some change was desirable in the system of education, was this the moment to introduce it? What could be the effect of the general discussion of such a subject in Ireland but to tear open the wounds of civil and religious discord, which, they hoped they had succeeded in closing? The course pursued by his Majesty's Ministers was equally calculated to excite surprise, whether it was considered with reference to the interests of the country, or to its certain effect of shaking their own popularity. He spoke not of the mob and rabble popularity, of the popularity which Ministers enjoyed among the incendiaries of one city, or the window-breakers of another, but of the popularity to which, an honest and able Ministry ought to aspire among the educated and intelligent classes of Society. Could anything tend so much to shake the confidence of these classes as an attempt to break down the principles of religion? This was not a party question exclusively, for the Protestantism of Ireland was part and parcel of the Protestantism of this country. That man was greatly mistaken who supposed that the interests of the Protestant religion could be deserted in Ireland, without giving a fatal blow to the interests of religion in England. He called upon their Lordships, to consider this question, and to weigh it deliberately, if it vitally affected the religion of their own country, which he considered it did. He expected the aid of all those who, although they might believe some change necessary, still thought the change of system now proposed, was a crude and undigested mass. He expected the aid of those who, carrying their Scriptural notions further, perhaps than he did, thought it an indispensable duty to diffuse the Holy Scriptures in every quarter. He relied confidently upon the aid of those orthodox friends of the Church of England, who were anxious to maintain her exalted character, and diffuse her pure and beneficent doctrines. He should now beg leave to move this Resolution:—"That, inasmuch as by the plan of national education established in Ireland, the Bible is practically excluded from schools formed under the sanction of his Majesty's Government; this House cannot view that plan with approbation."

The Duke of *Norfolk* rose merely to correct a misconception of the noble Earl as to the doctrine and practice of the Catholic Church with respect to the Scriptures. That Church did not refuse the use of the Holy Scriptures to the laity, as the noble Lord, in common with many others, erroneously supposed. Its denial of the right of private judgment, as inherent in every individual and applicable to all questions, was what distinguished it from many of the Protestant churches, although he believed the right reverend Bench would not altogether disapprove of its reserve in this respect. He had not intended to address their Lordships, and rose merely for the purpose of correcting the misrepresentation of the noble Earl. He begged leave, however, to add, that he approved of the new system of education, because, in his opinion, it was calculated to make good Catholics and good Protestants. He considered it was unfair to impute to the Catholic Church that it denied the Bible to the laity.

The Earl of *Wicklow* had not given any opinion of his own upon the point to which the noble Duke referred. He had only said, that they were told the reading of the Scriptures by the laity was objectionable to the Church of Rome; and if the noble Duke wished him to give his authority, he would refer him to Mr. Stanley's letter.

The Duke of *Norfolk* was merely anxious to prevent its going forth to the public that the heads of the Catholic Church prohibited the use of the Scriptures to the great body of the laity. On the contrary, it was their uniform practice to enjoin the perusal of the Sacred volume.

The Bishop of *Chester* would not have risen but for what had fallen from the noble Duke on the subject of the Scriptures being enjoined by the authorities of the Catholic Church to be read by the laity. He had always hitherto understood that the principle of the Roman Catholic Church was, to withhold the Scriptures from the people at large, and that was wholly different from the Protestant practice, for if there was any principle which their Protestant fathers held more sacred than another, it was that of extending the Holy Scriptures to all men. But the new system of education, if he understood it right, sanctioned the Catholic principle rather than the Protestant principle; and, as a Prelate of the Protestant Church, called on to give his opinion, he could not otherwise characterize that system than as an unhappy compromise of one of the most essential duties of a Protestant Government. However he might differ in opinion from his Majesty's Government, he had no doubt that their intention was good It must be considered that they were legislating for Ireland, and what was all legislation for that unhappy country but a choice of difficulties? Nevertheless, if their Lordships sanctioned this compromise of Protestant principles, they would commit a most fatal error.

The Duke of *Leinster* said, that as one of the members of the Board recently established to promote the new system, he wished to state that it was the desire of the members, one and all, that the children taught in the Schools under their superintendence should have a Scriptural education. It was a foul and unjust reproach to them to say that they were opposed to the diffusion of the Word of God. There was every facility afforded for religious instruction, with an earnest endeavour to avoid bigotry and fanaticism, and to produce harmony among the various sects. To show in some degree the spirit in which the opposition was carried on, he would mention the case of one school in Ireland. He knew an instance of a school which had existed about fourteen years, and which was in a great degree supported by voluntary contributions. The conductors of that establishment applied to the present Board of Education for assistance, which was afforded them; when certain of the subscribers among the high Protestant party immediately withdrew their subscriptions, for no other reason that he could understand but that they were apprehensive their school would be contaminated by receiving assistance from a Board which committed no other offence than being careful to avoid any disrespect to Catholic feeling. He would merely observe that there were already upwards of 200 schools which educated 14,000 children, connected with the new Board, and regulated on its plan.

Lord *Suffield* said, that there never was a more miserable shift of any party in opposition to raise an unjust and unfounded outcry against an Administration. It was contrary to the fact to say, that religious education was neglected by the Board. The fact was, that two days in each week, besides the Sabbath, and a part of every other day, were set aside for religious instruction. It had been said, that the use of a book of extracts from the Scriptures, would supersede the reading of the Sacred volume itself. Now, it might as well be said, that to learn the rudiments of any science would prevent the general study of that science. He would ask those who talked so loudly about the neglect of religious instruction in the national schools in Ireland, where were the schools in England in which so much attention was given to religion as in those schools? He had himself sons at the public schools, as had also some of the noble Lords opposite; and he had no objection to join with those Lords in a remonstrance against the total neglect of religious instruction in all the public schools in England; but he must ask them, why did they blame the Government for neglect, at the very time that it was carefully giving to the children in the schools under its direction in Ireland a more religious education, than the sons of the noble Lords themselves were receiving at the public schools? To arraign Ministers for the most excellent regulation which had been made by the Board of Education, was absurd. It was, he repeated, a mean and miserable shift of a factious and rancorous opposition.

The Bishop of *London* did not intend to trespass on the House by going at any length into the discussion of the Resolution moved by the noble Earl opposite, because he had already had an opportunity of stating his sentiments on the subject to which it related. He then rose only to say one word in the defence of a much-calumniated body of men—the heads of the public schools in England. He himself had not had the good fortune to receive his education at one of those institutions, but he knew enough of them to be able to say, that Scriptural education was not neglected in them, and that there had been of late a great improvement in that respect. The noble Baron (Lord Suffield) had asked was there any day devoted to religious education in the public schools in England. He (the Bishop of London) answered yes; he had himself a son now receiving his education in one of them, and he would say, that his religious principles were as much attended to as any parent could desire. There were in London two public schools in which religious education was so carefully conducted, that the pupils, at the time of leaving them, were fit to pass an examination for Holy Orders. He did not know where some noble Lords had acquired their experience, but he could only suppose that the course which they described as being followed in the public schools, was that which had been pursued in their own education. At present that was not the question before their Lordships; but what system of education ought to be introduced into the national schools of Ireland? And in affording education to the Irish, it was to be recollected that Parliament had a remedy in their own hands, and that it was for them to devise the most suitable and practical mode of imparting education founded upon Scriptural knowledge. The noble Lord ought to recollect that there already existed in Ireland societies which were the means of affording much valuable instruction; and it was also to be recollected that the Roman Catholics themselves were not altogether averse to the reading the Scriptures. Then why withdraw aid from those Societies which had done, and were doing, so much good? Though the Scriptures were inculcated by the several branches of the Kildare-street Society, it was clear from the Report of the Commissioners, that there was no attempt, on the part of that body, to interfere with the religion of the Catholics, or to pursue any system of proselytism. Under such circumstances he would again say, that he did not see the necessity of withdrawing funds from that Society, or otherwise interfering with it.

Lord *Suffield* rose to explain. He did not mean to charge the conductors of the public schools of this country with any neglect of giving Scriptural education. What he meant was, merely to institute a comparison between the system proposed by noble Lords opposite, who called out for the unmutilated Scriptures, and the system pursued at schools in England. He would ask the right reverend Prelate whether boys in England generally upon leaving school had not a better recollection of the heroes of Homer?

Lord *Tenterden* said, that the noble Baron was out of order—he had already spoken on the subject before the House.

Lord *Suffield* said, that he had a right to explain. In the most strictly Protestant schools in England—in those, for instance, of the British and Foreign Society, and in the national schools, to both which he was a subscriber and a zealous friend—the plan of religious instruction was the same as that which the Resolution would condemn.

The Marquis of *Salisbury* rose to order, and said, it was not usual that any noble Lord in the course of any debate, should trespass a second time on their Lordships with a speech which was not strictly in explanation.

Lord *Suffield* would save the noble Marquis the trouble of bringing him to order, by assuring him that he had already said every word which he had intended to say.

The Marquis of *Clanricarde* said, the right reverend Prelate had entirely misconceived the principle upon which the Kildare-street Society was established. The schools under their superintendance were not co-extensive with the population; in fact they bore no proportion to the wants of the people in those districts in Munster and Connaught where they were most wanted; and it was by experience proved that their system, if extended, which it could not be, would never be palatable to the Catholics. The proposition of the Kildare-street Society was, to commit the education of Catholics to the care of Protestants; and he left it to their Lordships to judge whether that was at all likely to be successful. The present plan was, to give moral and literary instruction indiscriminately to all, allowing the parents and the pastors of each sect to impart their own particular religious opinions. It was not right, therefore, to say that the Scriptures were excluded; for, besides the two days set apart for religious instruction, extracts from the Bible were read during the school days. Neither was it correct to say that the new plan would fail; for already, during a short period of four months, there had been nearly as many applications to the Board as there had been to the Kildare-street Society from its commencement; and he could take upon himself to say, that some of those applications came from clergymen of the Established Church, and clergymen, too, as anxious and sincere in their zeal for Protestantism as any Member of their Lordships' House. In fact the opposition was not made on principle, but it was a question of party; and he would venture to assert, that those who objected to this plan could not themselves propose a better, nor any one more likely to be adopted and afford more Scriptural education.

The Bishop of *Exeter* spoke as follows:* My Lords, I can assure the noble Marquis who has just sat down, that I will adhere to the advice which he has been pleased to give to your Lordships, and will confine myself strictly to the question before the

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* Reprinted from the corrected speech, published by Murray.

House. I have, in truth, no temptation to wander from it; for the question itself is far more than sufficient for me to hope to do justice to it; and it is besides far more interesting in itself than any collateral matter could help to make it. My Lords, it is, I can assure your Lordships, felt to be so by thousands out of this House, and by not a few, I trust, within it. It is a question which, as it will be my duty to endeavour to satisfy your Lordships before I conclude, has not only excited, but has also justified, the greatest anxiety and alarm, both in Ireland, and throughout the empire at large.

Before I proceed, my Lords, to enter upon the discussion of this most important subject, I will venture to make one remark in reference to an observation of the right reverend Prelate behind me (the Bishop of Chester), for whom I may be permitted to say I entertain the most sincere respect. That right reverend Prelate has said, that he could not consent, on this occasion, to raise his voice in condemnation of his Majesty's Ministers, although he disapproved of the plan proposed by them. My Lords, I, too, wish to be understood, in the observations which I am about to address to you, as meaning to say nothing unnecessarily disrespectful to his Majesty's Ministers. My remarks will be made against the measure, and not against the men. And yet, my Lords, I shall not be restrained by any apprehension of incurring the censure of a noble Lord who has recently addressed you, of being called factious, or belonging to a faction—an accusation pretty liberally bestowed of late on those who have considered it their duty on public grounds, to oppose a public measure—I say, my Lords, I shall not be restrained by any apprehension of being charged as a member of a faction from speaking as becomes a member of your Lordships' House; and if I shall find it necessary to offer any very strong observations against the measure, I shall not scruple to do so; trusting, that the noble Earl at the head of His Majesty's Government, and his colleagues, will understand that I wish my observations to apply as little as possible to them, but as much as possible to the measure itself. I say this the more readily, because I do not think that there are many among those noble Lords, although officially responsible for the measure, who know what that measure really is.

My Lords, I do not make this charge on slight grounds; for when I hear noble Lords who have spoken in defence of the new plan, particularly the noble and learned Lord (Lord Plunkett) declare, that the principle of it has been sanctioned by all the Commissions and Committees that have hitherto devoted their labours to the consideration of this subject, it is plain to my understanding that they know not what this new plan really is. My Lords, instead of being the same in principle as that which has been recommended by the Reports of previous Commissions and Committees, I affirm, that the present measure not only has not the sanction of those Reports, but is in direct opposition to them all. If, therefore, my Lords, I establish this point to the satisfaction of your Lordships, I think I shall stand excused for saying that I very much doubt or rather I do much more than doubt, whether the noble Lords know what this measure really is.

My Lords, I will now beg leave to refer to the letter addressed to the noble Duke at the head of the New Board of Education, whom I am most happy to see in his place, from the right hon. the Secretary for Ireland, and I will beg leave, from that letter, which is the formal and official exposition of the new plan of national education in Ireland, to show what that plan is. It may be considered as dividing itself into three distinct particulars, as respects—first, the moral and literary instruction which it is proposed to afford to Protestants and to Roman Catholics in common; secondly, the separate religious instruction of Protestants; thirdly, the separate religious instruction of the Roman Catholics. From an examination of these several parts, I will undertake to show, that the real principle of this national plan of education is to exclude Scripture altogether from some of the schools supported by the State; and to lay the least possible stress on Scripture as a part of that education in all. In truth, my Lords, strange as it may seem, this official exposition of the plan, I mean Mr. Stanley's letter, from the point at which it commences the development of his plan, is so constructed, as to avoid the very mention of Scripture at all.

First, as respects the common instruction of Protestants and Catholics, this is the provision:—

'They will require that the schools be

'kept open for a certain number of hours, 'on four or five days of the week, at the 'discretion of the Commissioners, for 'moral and literary education only. They 'will exercise the most entire control over 'all books to be used in the schools; none 'to be employed in the combined moral 'and literary instruction, except under the 'sanction of the Board.'

Now, your Lordships will see here is no mention of any book of Scripture to be introduced; no, not even of a book containing extracts of Scripture. I know it has been a ground of complaint against the plan, that extracts are proposed to be given from the Scriptures, and not the Scriptures themselves. This is matter of complaint which has been frequently adverted to in petitions to this House; and some of your Lordships also have made the same complaint. My Lords, my complaint is of a contrary kind. I complain, not that books of extracts of Scripture are to be used in these schools of moral instruction, but that they are *not* to be there used. My Lords, if volumes of well-chosen extracts from the Bible were to be used in the schools at the time of common instruction, I should not think it reasonable to complain, that the whole Bible is to be reserved for the times of separate religious instruction. I should think this no more than a fair concession to the peculiar circumstances of the case; but, my Lords, there is absolutely no security whatever, that all books containing extracts from the Scriptures are not to be excluded—rather, there is actual proof that all such books will be excluded—as far as regards the moral instruction of both Protestants and Roman Catholics.

I will take upon myself to show this presently; but, in the meanwhile, let me go on to state what the provisions of this plan are for the religious instruction of Protestants. 'They,' the Commissioners, 'will exercise the most entire control over 'all books to be used in the schools; in 'the separate religious instruction none 'are to be employed, but with the appro'bation of those members of the Board 'who are of the same religious persuasion 'with the children for whose use they are 'intended.' Why, then, my Lords, it is clear that there is no other security for the use of the Bible, even in the religious instruction of Protestants, than that derived from the character of the individuals composing that commission, and upon that point I shall speak presently.

I observe that some noble Lords are disposed to think that I am inclined to cavil upon this point, but I think when I come to enter further into the question, I shall prove to them that I have too good ground for the opinion which I have expressed.

With regard to the separate religious instruction of Roman Catholics, the provisions are the same as for the separate religious instruction of the Protestants; neither the Old, nor the New Testament is required—all is to be left to the Commissioners of the two several persuasions.

Such is a general view of this new plan of national education. I proceed to a more particular inquiry into its three several parts.

In respect to the first part, I think I shall make it plain, that the principle of this measure, so far as regards the joint moral and literary instruction of Protestants and Roman Catholics, is completely to exclude the use of the Bible, whether entire, or in extracts. In doing this, I fear that I must pray the indulgence of your Lordships for some trespass on your time, because I feel it necessary to have recourse to documentary evidence; and yet, however tedious that may be—and still more tedious the observations which I may consider it necessary to make on those documents—I venture to be confident that your Lordships will patiently bear with me, not only because I have not trespassed on your attention before, and am not likely often to do so again—but much more in consideration of the great importance of the question now before you.

My Lords, I have said that the Holy Scriptures, whether in the entire volume, or in the form of extracts, are, in fact, excluded from the proposed plan of general education; and I think that this will appear in the clearest possible light, if I show that the exclusion or non-exclusion of them must depend on the good pleasure of the Board, and that there is one person placed upon this Board, who is not only likely, but whose duty it is, to exclude them.

My Lords, it must be borne in mind, that this letter of the right hon. Secretary refers to the acts of a preceding Commission, which took place some years ago—I mean the Commission of 1824-27, at which latter period their labours were concluded. My Lords, the Reports of that

Commission furnished ample details of the opinions of the Roman Catholics, with whom they communicated. The Commissioners felt the great importance of the principle, that a literary and moral education should be based on the Scriptures. their formal communication with Dr. Murray, on the subject of common instruction, a minute of which was made at the time, they thus express themselves:—'The Commissioners then stated that they 'could not consider any system of education as deserving the name, which should 'not seek to lay the foundation of all 'moral obligation in religious instruction.'—(So little notion had these wise and good men of any system of common instruction which should be moral and literary only.) They, therefore, 'inquired of Dr. Murray 'whether it would be objected to, on the 'part of the Roman Catholic clergy, that 'the more advanced of the Protestant and 'Roman Catholic children should, at 'certain times during school-hours, read 'portions of the Holy Scriptures together, 'out of their respective versions, subject 'to proper regulations, and in the presence 'of their respective Protestant and Roman 'Catholic teachers?' Dr. Murray answered, that serious difficulties would exist in the way of such an arrangement; but he suggested an expedient—that of introducing collections from the Scripture and books of extracts. Dr. Murray said, 'no 'objection would be made to a harmony of 'the gospels being used in the general 'education, which the children could re'ceive in common, nor to a volume con'taining extracts from the Psalms, Pro'verbs, and Book of Ecclesiasticus; nor 'to a volume containing the history of the 'creation, of the deluge, of the patriarchs, 'of Joseph, and of the deliverance of the 'Israelites, extracted from the Old Testa'ment; and that he was satisfied no diffi'culties in arranging the details of such 'works would arise on the part of the 'Roman Catholic clergy.' Thus it appears that the expedient of having books of extracts and collections from Scripture was first suggested by Dr. Murray; and that he then contemplated giving these extracts from the authorised Protestant version, is plain from what occurred at a subsequent meeting.

My Lords, on the occasion to which I have already referred, Dr. Murray came alone, and made this statement before the Commissioners; but in a few days afterwards he returned, bringing with him the three other titular Roman Catholic Archbishops of Ireland, and he said, 'It appears to be the wish of these gentlemen,'—(not at all implying that it was so much a matter of wish to himself, and certainly implying that it was not a matter of conscience or principle to any of them)—'it appears to be the wish of these gen'tlemen that anything given in the shape 'of Scripture should be in the Douay ver'sion for the Catholic children.' Thus the matter stood on the 8th of January, 1825; yet on the 16th of December of the same year, it will be found that he positively objected, as of conscience and necessity, to anything being read, as Scripture, in the presence of the Roman Catholic children, unless it was in the Douay version; he retracted, in short, all he had said, and objected to the use of any books that should give any part of our Lord's own words, unless it was in that version. But he went further, and said that it was contrary to the discipline of the Catholic Church, that any books whatever should be placed in the hands of the Roman Catholic children, in which there was even a quotation from the Bible of the Established Church, where that Bible differed from the Douay version. Thus it became apparent, that no books of extracts from Scripture, *as Scripture*, no moral instruction based on the Word of God, *as such*, could be admitted into the schools of common instruction, unless the Bishops of the Protestant Church would consent altogether to forego the use of their own version, the only version, I must be permitted to remind your Lordships, which the law of the land acknowledges as the Word of God. Not a text, or even a reference to it, would be tolerated by the Roman Catholics, if the reference to it were made as to the Scriptures—so decidedly were they opposed, within the short period of ten months, to their former statement in respect of the facilities which they were willing to afford to one common principle of instruction, and in order to promote the objects which the Commissioners had in view.

And yet, my Lords. I must be permitted to remark, that whenever it may seem necessary, or possibly, expedient for Dr. Murray and his friends to act on a somewhat different principle from that which they have here announced, they find no difficulty in doing so. No doubt your Lordships will all remember that it was made a matter of great triumph, and adduced by the noble and learned Lord, the Lord Chancellor of Ireland, as a convincing proof of the liberal and Christian spirit of Dr. Murray, that a paper containing the first lesson set forth to be used under the new system, was moved for adoption by Dr. Murray; which lesson is to be suspended in every school, and enforced upon the mind of every scholar—a lesson,—most certainly, of a highly laudable nature,—a lesson of Christian benevolence towards those with whom we differ in religious belief. Now, that very lesson contains citations from the Holy Scriptures in the version of the Church of England, even in texts where that version differs from the Rhemish, (I say Rhemish, because that word, in strictness, refers to the translation of the New Testament, as the Douay version does to the Old, and, as I have said, is to be stuck upon the walls of every school. This, I repeat, was proposed by Dr. Murray, although he had joined before in saying, or, by his silence, had acquiesced in the saying, of his brother Prelates, to the Commissioners of 1825, that it was contrary to the discipline of the Roman Catholic Church that the Roman Catholic children should have any book or extract, with such a reference, placed in their hands. I state this, to show how little confidence can be placed in the sincerity of the Roman Catholic Prelates, in any transactions in which the interests of their Church are concerned.

My Lords, it will be recollected, that the Commission of 1824 abandoned the experiment which they had endeavoured to carry into effect, because they found it impossible to get extracts from the Scriptures to be read in the schools. The consent of the Roman Catholics could not be obtained to the use of our version of the Holy Scriptures, even though they were compelled to admit that their own version was not, strictly speaking, an authorized version; for it never had received any sanction from Rome, and it had been repeatedly altered since its first publication. Our Bishops, on the other hand, could not consent that the Protestant Bible—the only Bible acknowledged by the law of the land—should be abandoned at the demand, or to conciliate the co-operation, of the Roman Catholics. The consequence was, as we very well know, that the Commissioners of 1824 decided that the experiment could not go on; for, as a volume, or volumes, of extracts from Scripture were essential, in their judgments, to the proper teaching of morality to Christian children, and as no such volume could be agreed on, nothing remained for them to do but to relinquish an attempt which was thus proved to be hopeless. Now, on this occasion, Dr. Murray said, in a letter addressed to the Commissioners:—

> "I will avail myself of this opportunity to express an opinion which you will not, I am sure, consider at variance with that respect which I sincerely entertain for the Board of Education Inquiry: it is, that the Board has created for itself a very needless difficulty, by requiring, as a matter of necessity, any Scriptural compilation to be used in schools for the purpose of general instruction."

It is quite manifest, therefore, that Dr. Murray thinks any such Scriptural volumes unnecessary; and as he has also declared that any Scriptural compilation from the Bible of the Established Church ought not to be used, he will not, and cannot, assent to its introduction into the schools of general instruction. In short, my Lords, he must and will, if he have the power, exclude the Scripture from such schools altogether.

But, my Lords, that he will have the power, I proceed to show to your Lordships—and this not merely from considering the deference which would necessarily be paid to his opinion resting on alleged grounds of religious scruples, but also from a very peculiar circumstance, which will be found to deserve the closest attention of your Lordships. It certainly is most remarkable, that Dr. Murray, or some one in the interest of Dr. Murray, has assumed for him a power which was not intended to be given by Mr. Stanley's letter: no less, in short, than a veto on all books proposed to be used for general instruction; and this object has been effected by foisting in an important word into the regulations of the original.

I am very happy to see in his place this day the noble Duke (the Duke of Leinster) who is at the head of the Board of Irish Education; because I shall be set right in respect of what I call a most unwarrantable and unauthorized alteration of the instructions contained in that letter, if I am incorrect.

My Lords, it will be observed that Mr. Stanley's letter says—

> "It is not designed to exclude from the list

of books for the combined instruction such portion of sacred history, or of religious and moral teaching, as may be approved of by the Board."

Now, under this regulation, certainly, if the Board at large should think fit that a portion of the Scriptures should be used, any objection on the part of Dr. Murray would be useless.

[The *Duke of Leinster.*—Hear! hear!] I am happy to find that the noble Duke acquiesces in this, and calls the attention of your Lordships to it; for I am quite sure that, after I shall have shown what has been done, you will find your attention has not been ill bestowed.

Your Lordships will observe, that a public notice has been given by the Board of Education in Ireland, that they are ready to receive applications for aid on the part of those who may be disposed to establish schools under the direction of the Board. My Lords, I hold in my hands the public advertisement of the Board to that effect. A noble Lord near me says, in a tone something like that of taunt, that I am quoting from a newspaper. It is very true; but it is the very same document as was cited for a different purpose, without objection from any of your Lordships, some nights ago, by the noble and learned Lord (Lord Plunkett); and I must take leave to say, that an advertisement from a newspaper is as regular a document, and as fit to be cited here, as any other paper which has not been formally laid on your Lordships' Table. I repeat, therefore, that my newspaper is as authorized a document as the noble and learned Lord's sheet, though this latter be of handsomer form, and better type. Now, my Lords, in this advertisement, purporting to be the formal announcement of the Board's new plan of national education, and subscribed by the Secretary to the Board, the rest of the regulation respecting the control of the Board over the books of general instruction is given *verbatim* according to the terms of Mr. Stanley's letter; but, before the word "Board" is inserted the word "entire," and the effect of the alteration, your Lordships will perceive, is to require the consent of all and every member of the Board to the use of every particular book; thus giving, as I said, a veto to Dr. Murray, and enabling him, even if he stand alone, to exclude all books of extracts of Scripture, or anything else which might displease him, from the list.

Earl *Grey*: Where is the word? I do not find it here, and this is the paper issued by the Board.

Why, then, my Lords, if the Board has not in its own formal act inserted the word, it is quite plain that there is some power which can effect whatever alteration shall be deemed expedient in the acts of the Board, in spite of the intentions of the Board itself. This advertisement announces to the world the plan of education, and by it the conduct of the public in forming schools will be regulated.

Earl *Grey* intimated that he had found the word in his paper.

Oh, then, my Lords, it is in both papers—in the handsome official document, and in the more homely one in my hand, the word is equally to be found; and I cannot be sorry for the doubt which at first existed in the noble Earl's mind on this point, as it must have increased your Lordships' attention to the circumstance, and, at the same time, perhaps, has testified the noble Earl's sense of its importance. I repeat, this word "entire" is something superadded to the instructions of Mr. Stanley—something not in any degree justified by those instructions; and I must take the liberty of saying, further, that it would be satisfactory if the noble Duke, at the head of the Board could inform us how this unauthorized and most improper interpolation was made. I am perfectly satisfied that he was no party to it. I have heard much of the noble Duke's high and honourable character — I am persuaded not too much—and, therefore, I feel myself warranted in affirming, that he never contemplated so important a change in the instructions and powers which the Board received, as is involved in the interpolation of the word "entire."

My Lords, while I am sure it is not the noble Duke's act, I am not sure whose act it was. But this I will say, it is not of English, it is not of Protestant origin—the taint of Jesuit is strong upon it—

> "The offence is rank; it smells to Heaven."

Such, my Lords, has been the mode by which power has been given to every single member of the Board—to Dr. Murray, therefore, in particular, who has declared himself bound in conscience to use that power — to exclude all extracts from Scripture, if those extracts be in the version which all Protestants consider—and which alone the law of this land considers

—as Scripture, from the schools of common instruction of Protestant and Roman Catholic children.

My Lords, I proceed to the second part of this plan of national education—the separate religious instruction of Protestant children. Here, too, I must remind your Lordships, that we have heard this new plan repeatedly and strongly defended, especially by the noble and learned Lord, the Lord Chancellor of Ireland, because the several reports of the various Commissioners, and Committees of the House of Commons assert principles in perfect accordance with those upon which the Government plan of education has been founded. Now, I will take the liberty of asserting—and I fearlessly refer your Lordships to the documents themselves, to prove the correctness of my assertion—that, so far from this plan being sanctioned by the previous reports, it is in direct opposition to all of them—in every part of it—and not least in the part to which I am about to invite the attention of your Lordships.

My Lords, the whole control of the religious instruction of the Protestant children of Ireland will be placed, by this plan, in the hands of three Commissioners nominated by the Crown. I need scarcely tell your Lordships, that I entertain for the Protestant portion of the Board the very highest respect; I have already spoken, and shall continue to speak, of the noble Duke at the head of the Board with the most sincere respect; but sure I am your Lordships will agree with me—and I am also sure the noble Duke himself will be perfectly ready to admit—that there is no great probability of his troubling himself much with minutely criticising the religious publications submitted to the Board. The duty of examining them must, then, of necessity, devolve upon the other two Commissioners, namely, the Archbishop of Dublin and Dr. Sadleir. I know both those learned persons, and of both of them I think most highly. Of the Archbishop of Dublin, I will say, that I never knew a man of greater powers, or of a more richly cultivated mind; I never knew a man more strenuous in the pursuit of truth; more fearless in following whithersoever the pursuit may lead him. In short, if ever I knew one man more than another who could be called a strict lover of truth, that man is the Archbishop of Dublin; and, to say of any man that he is a strict lover of truth, amounts to saying that he is one of the best of men. But, having said this, I trust it will not be imagined that I speak invidiously, when I say, that this very ardent love of truth in one, who happens to have erred in the pursuit of it, only makes him the more unsafe as a guide, much more as the absolute arbiter of the opinions of others. In short, my Lords, I must not be afraid of saying, that the known opinions of the Archbishop of Dublin upon an important theological question are opinions which, in a great degree, disqualify him for the situation to which he has been called; that he is disqualified for that situation, not merely because he must be thoroughly ignorant of the state of Ireland—not because he is, therefore, in imminent danger of being duped by the Jesuitism to which I have already adverted—but also because, as I have said, of those opinions.

The opinions of this most reverend Prelate are no secret—they are known, I presume, to most of the noble Lords I have the honour to address. His opinion denying the sacredness of the Sabbath has been put forth to the world, and he is answerable for it to the world. Now, what I say is this, that any man holding such an opinion, and not only holding it, but promulgating it to the world,—is not qualified to have a veto on the books that should be used in the education of Protestant children. Suppose a tract is put into his hand, the theme of which is, "Remember, that thou keep holy the Sabbath day"*—I put it to any man, is he or is he not a person who ought to be intrusted with the power of deciding as to the admissibility of such a tract? My Lords, I perceive, from the demeanour of some noble Lords near me, that they think this language invidious. My Lords, I disclaim any such intention. I mean nothing invidious. I, in common with the great body of the clergy of the Church of England, and with all, I believe, of my right reverend Brethren near me, hold that this opinion is erroneous—I impute error, but nothing more than error; and I lament to think, in these days, that a man must either be supposed insincere himself, or to ascribe insincerity to another, if he gives him credit for conscientiously avowing and maintaining an error.

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* What I here said was founded on a note at the end of the fifth Essay in the first edition of the Archbishop's work on "The Difficulties in the Writings of St. Paul." He there denies that the Fourth Commandment is binding upon Christians, and speaks of the observance of the Lord's Day simply as "an observance which has the sanction of the Church," asserting the authority of the Church to make such an appointment. I therefore scrupled not to state this opinion as disqualifying his Grace from being intrusted with the great power, which is given to him by the Commission, over the religious instruction of the children of Ireland.

In the course of the debate, I found that the Archbishop had subsequently (in a second edition) guarded his opinion more carefully, and that, while he denies the obligation of the Fourth Commandment, and the divine appointment of the Christian Sabbath, he enforces, on other grounds, "the proper observance of the Lord's Day." I therefore, in my place, retracted the objection, as "having gone too far."—H.E.

But, my Lords, the case stops not here. Much worse consequences may flow from the principle on which this Commission is founded. The present Ministers would not, I dare say, advance a man to the Episcopal Bench in Ireland who holds Socinian or Arian opinions. They would not knowingly do so. But there have been instances of such appointments; even in our own times there was an Irish Bishop defamed as a Socinian. I will suppose such a man appointed to the Archiepiscopal See of Dublin, and to a seat at this Board, and then I find a Socinian vested with full power to control the religious sentiments of the rising generation of Ireland.

But, my Lords, the whole of this part of the measure is a flagrant violation of the spirit, and, I believe, even of the letter of the law of the land; it is, too, a gross usurpation upon the rights of the clergy of Ireland.

By the statute law, it is the duty of the Protestant clergy of that country to make provision for the education of the people. The earliest Act to which I think it necessary to refer your Lordships, is an Irish Act of Parliament of the 28th of Henry 8th. This Act, after stating "the importance of a good instruction in the most blessed laws of Almighty God;" and after further stating "his Majesty's disposition and zeal, that a certain direction and order be had, that all of his (Irish) subjects should the better know God, and do that thing which might in time be, and redound to our wealth, quiet, and commodity," proceeds, after other matters, to require an oath to be administered to every clergyman at ordination, and another at institution, that he will keep, or cause to be kept, a school for to learn English, &c. And this is re-enacted by the 7th William 3rd, c. 4, (Irish). These provisions, as I presume, I need not inform your Lordships, impose no obligation upon the beneficed clergy to maintain those schools at their own expense; they merely convey to them a power, and impose on them an obligation, of seeing that these schools be established, and that no higher rate of payment be charged than the customary rate. In truth, this act does little more than add a pecuniary penalty to the sacred obligation which, without any such statute, would have been imposed upon the clergy of attending to the instruction of the young. It is their duty upon much higher grounds than those which any Act of Parliament can impose; for, at their ordination, they receive a power, and at institution they receive the assignment of a particular place in which to execute that power, of preaching the word of God; and, by preaching, as I scarcely need tell your Lordships, is not meant merely the delivery of sermons, but the whole spiritual care of their flocks. But the letter of the Chief Secretary for Ireland not only interferes with the obligation involved in the Ministerial office, so far as concerns this most important particular of the cure of souls—the religious instruction of the children of the poor—but it also puts an end, or professes to put an end, to the obligations which positive Statutes have created;—for it, in effect, takes out of the hands of the parochial clergy that right and duty of superintendence with which several Statutes have invested them. This, I presume, will be considered by most noble Lords as the assumption of something very like a dispensing power. Be this as it may, three Commissioners are nominated by the Crown, who are to possess the absolute power of dictating what shall be the religious instruction given to the children of Ireland; thus taking from the parochial clergy in Ireland that which the laws of God and man had intrusted to their fidelity and discretion.

Now, my Lords, we are told that this plan is perfectly identical with that which was over and over again recommended by different Committees and Commissions. But so far is this from being correct that the Commission of 1824 left this matter wholly and expressly in the hands of the clergy. The first Report of that Commission, at great length, asserts and establishes the right of the clergy, by Statute, to the superintendence of the instruction of the children of Ireland; and the Report of the Committee of the House of Commons in 1828 left the selection of books for the religious instruction of the Protestant children to the Bishops of the Church in general, who might be considered as the fit representatives of the clergy. But this new plan absolutely flies in the face of all that went before; and yet noble Lords, and noble and learned Lords, defend this plan on the ground of its being founded on the very same principles.

But I come to the third part of this new scheme of national education, and I ask, how does it provide for the religious instruction of the Roman Catholic children?

My Lords, I am not prepared to say that it is the duty of the State to insist on all persons learning in the Bible; but this I say, that it is the duty of the State not to aid in any form of education which excludes the Bible; this I say, that all persons should have free access to the Bible, whether they will avail themselves of it or not. We should recollect that the preservation of a free access to the Scriptures is a duty imposed upon us by the law of God, and especially, that every Protestant Legislature, as such, is bound to take care that the people committed to its charge enjoy that privilege in its fullest extent; is bound to see that, neither directly nor indirectly, it makes itself a party to any measure adverse to this prime and fundamental Protestant principle.

In making these statements, however, I am perfectly willing to admit, that, in the present peculiar state of Ireland, it would be at once unwise and cruel not to give more than the Protestant version of the Scriptures. All that I contend for is, the duty of a Protestant Legislature and a Protestant Government to see that a version of the Scriptures, of some kind or other be accessible to all; and that it be actually used in the instruction of all, for whose education the State shall undertake to provide. Yet this the Roman Catholic hierarchy will not now permit. In truth, it cannot have escaped the attention of your Lordships, that the present demands of that hierarchy are of a much more lofty character than those which they urged at a former period; though, to do them justice, their declared principles were then the same as now. In proof of this, I will refer to a petition of the Roman Catholic Bishops of Ireland to the House of Commons, presented in 1824, and published in the first Report of the Commissioners of 1824, page 1. The words are these:—

> "That the religious instruction of youth, in Catholic schools is always conveyed by means of catechetical instruction, daily prayers, and the reading of religious books, wherein the gospel morality is explained and inculcated; that Roman Catholics have ever considered the reading of the sacred Scriptures by children as an inadequate means of imparting to them religious instruction, as an usage whereby the word of God is made liable to irreverence, youth exposed to misunderstand its meaning, and thereby not unfrequently to receive, in early life, impressions which may afterwards prove injurious to their own best interests, as well as to those of the society which they are destined to form."

Such were the sentiments of the Roman Catholic Bishops at the period to which I refer, deliberately laid before the other House of Parliament. I shall now request your Lordships' attention to another document, which I think not less interesting than important, for the purpose of illustrating and sustaining the positions which it is my object to enforce. I allude to an encyclical letter from Pope Leo 12th against the use of the Scriptures in the vulgar tongue, dated 3rd May, 1824, and published in Ireland with "Pastoral Instructions to all the Faithful," by the Roman Catholic Archbishops and Bishops of Ireland, and is to the following effect:—

> "We also, venerable brethren, in conformity with our apostolic duty, exhort you to turn away your flock, by all means, from these poisonous pastures (the Scriptures in the vulgar tongue); reprove, beseech, be instant in season, and out of season, in all patience and doctrine, that the faithful intrusted to you (adhering strictly to the rules of our congregation of the Index) be persuaded that if the sacred Scriptures be everywhere indiscriminately published, more evil than advantage will arise thence, on account of the rashness of men."

To this passage the Irish Prelates, in their Pastoral Instructions, refer in the following terms:—

> "Our holy father reccommends to the observance of the faithful a rule of the congregation of the Index which prohibits the perusal of the sacred Scriptures in the vulgar tongue, without the sanction of the competent

authorities. His holiness wisely remarks, that more evil than good is found to result from the indiscriminate perusal of them, &c. In this sentiment of our head and chief we fully concur."

My Lords, you have here before you the solemn judgment of the head of the Roman Catholic Church; you have likewise before you the solemn judgment of the whole Irish Roman Catholic hierarchy. I will next state what an individual of that body—the most influential among them—Dr. Doyle—has said of his own separate sentiments—separate only in the sense, that he speaks in his individual capacity, but in no respect different from the general sentiments of the body. He says,—

> "The Scriptures alone have never saved any one: they are incapable of giving salvation; it is not their object; it is not the end for which they were written."

"These are his sentiments, though St. Paul tells us that the Scriptures "are able to make us wise unto salvation." Dr. Doyle goes on to say,—

> "They hold a dignified place amongst the means of the institution which Christ formed for the purpose of saving his elect; but if they never had been written, this end would be obtained, and all who were pre-ordained to eternal life would have been gathered to the Church, and fed with the breath of life."*

Such are the notions of Dr. Doyle respecting Scripture, and not of Dr. Doyle only, but of all the Roman Catholic Prelates of Ireland. They will act in conformity to these notions, and, armed with the authority of this commission, they will expel the Scriptures from the religious instruction of all their schools, even of those which are maintained at the expense of this Protestant State!

But, my Lords, does this accord with the recommendation of the Commissioners of Irish education of 1824? So far from it, that they laid it down as a fundamental, an indispensable principle, that the Testament should be put in the hands of all children, Roman Catholics as well as Protestants. This was a matter which they would not permit to be brought even into question—they insisted upon it as essential (their own word, my Lords), and they required the Roman Catholic Prelates to furnish them with a version of the New Testament for the purpose. They permitted, indeed, that notes should be subjoined, requiring only that these notes should not contain matter of reasonable offence to Protestants. My Lords, I have pleasure in bearing testimony to the fairness and fidelity with which this has been accomplished. I have pleasure in saying, that I have read those notes, and have found in them nothing whatever which can afford fair ground of offence to any reasonable Protestant.

My Lords, the Commissioners of 1824 insisted, I repeat, on this Testament being used in the religious instruction of the Roman Catholics, and on the children reading in it, not only the epistles and gospels of the Sundays, but the epistles and gospels of the whole week, including a large portion of the New Testament.

My Lords, the Committee of the House of Commons of 1828 followed in the same line. They, too, required, that this New Testament should be printed and supplied to the national schools for the religious instruction of the Roman Catholic children:—

> "Resolved, that it is the opinion of the Committee, that copies of the new Testament, &c. should be provided for the use of the children, to be read in school, &c., the established version for the use of the Protestant scholars, and the version published with the approval of the Roman Catholic Bishops for the children of that communion."

Such was the resolution of the Committee of 1828; but the new plan abandons the Testament altogether. It does so, even though it professes to carry into effect the Report of that Committee—it does so, even though some special management (I wish not to use the word in an invidious sense, but simply to state the fact, that some management) was necessary to effect the purpose. My Lords, on looking to No. 6 of the Regulations of page 5. of the Report of the Committee, and comparing it with No. 5. of the Regulations in Mr. Stanley's letter, your Lordships will perceive what I mean. In the latter, all mention of supplying "books of religious instruction" (which included Testaments) is studiously omitted, even where that letter is copying the very part of the Report which requires such a supply. Why, my Lords, is this; Why is it, that, in the plan of the present Board of Education which professes to carry into execution the recommendation of that Committee, there is no provision made for the supply of

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* Letters of J. K. L., p. 164.

Testaments to any school in Ireland? Because, my Lords, the power which dictates to Government, in all that concerns the interests or the wishes of the Roman Catholic Church, has chosen to demand the sacrifice—has chosen to demand, that the Bible should be altogether excluded from their schools. To this power our Protestant Government has consented to surrender that which never before was permitted even to be asked.

My Lords, I have now gone through the various parts of this new scheme of national Education, and I think its merits may be fairly summed up in this brief abstract. It has divorced morality from the Word of God—it has controlled the Protestant priesthood in the exercise of one of their most essential rights, and in the discharge of one of their most important duties—subjecting them to a tyranny which the laws neither of God nor of man have authorized. It has conspired with the Roman Catholic hierarchy to arrest the progress of the Book of Life—to exclude that blessed book for ever (as vain man fondly deems) from every cabin of every peasant in Ireland—and to consign the unhappy peasant himself to a deeper, deadlier state of darkness and of bondage.

My Lords, I have done—I have said what I had to say, and I thank your Lordships for the patience with which you have heard me. Be assured that I will not often trespass on that patience. My Lords, in the part which I have now taken, I have only endeavoured to discharge some portion of the duty which I owe to the high office in which I am placed. For why is it, my Lords, that we Bishops sit here? Why are men of our spiritual function called to mingle in the counsels of you, the mighty ones of this world, and to bear our part in legislating for the land? Why is this strict union of Church and State?—an union which, for many more centuries than I can number, has been the glory and security of England. Why, I ask, is this? Is it to make the Church political? No, my Lords; in the language of the most venerable man among you—one of whom, as he is now absent, I can more freely express my gratitude and admiration—I mean the noble and learned Earl who for so many years sat on that Woolsack—it is not to make the Church political, but to make the State religious. Therefore my Lords, it is that we sit here. We sit among you mainly and chiefly (not, indeed, solely, but mainly and chiefly) that we may be at all times ready, when occasion shall demand, to instil into your counsels the holy lessons of gospel truth—to watch over the best and highest interests of those for whom you legislate—to raise our warning voice against every attempt, from whatever quarter it may proceed, to sever policy from religion, or to sacrifice the smallest particle of that pure faith, for which your forefathers, my Lords, drove a bigot from his throne, and our predecessors were content to be led by his beadles to a gaol! My Lords, I stand before you a Bishop of the united Church of England and of Ireland—the united Church, I say—for never may we forget that it is united—Never! never! never! —least of all, in this dark hour of suffering to the Irish branch, of common trial, of common peril (it may be both) to both. I stand here, and implore your Lordships to give your most serious attention to the high religious interests, aye, and I must be permitted to add, the high religious duties, which are involved in this night's question. I stand here, and conjure you to cast off, for one brief hour, all inferior thoughts, and to remember only that you are Christian legislators.

My Lords, four-and-twenty hours have scarcely passed since we humbled ourselves in the House of God, deploring the sins of a guilty people, and beseeching him to avert the fearful scourges which those sins have merited. We all, then, "humbly acknowledged that, through our neglect of God's ordinances, through our misuse of God's bounties, offences have multiplied in the land." My Lords, of all those ordinances the most sacred is the due and free use of his Holy Word—of all those bounties, the most precious is the gift of that Holy Word. And will you, then, my Lords, on this, the first night of your assembling together after that solemn service—will you join in dereliction of your first duty—in deserting the cause of God's own Word? My Lords, I have no right to speak to you of my own feelings—if I had, I would entreat, I would beseech you—I would not, indeed, imitate the eloquent action of the most eloquent of living men — I would not bend my knee n prayer to you, for I pray not to mortal man—but if reverence did not forbid me to mingle the attitude and the words of prayer with the excitement of this debate, I would humbly pray to Him, whose poor and worthless creatures we all are—aye, my Lords, the highest and the proudest, no less than the lowliest and the meekest—I would pray to Him, that He would bow the hearts of all here as of one man, "to put away the accursed thing from among you"—to disclaim all part in this most unhallowed work, even though the name and the seal of our gracious Sovereign be upon it.

My Lords, that name and that seal, affixed to such a commission—in execution of such purposes—by such instruments—fill the mind with strange musings; awaken affecting recollections; invite, perhaps, to some comparisons. But I forbear—I will not be further stirred by them, than to warn the counsellors of a gracious Prince—all whose thoughts, and wishes, and intentions, are, we know, for the good and happiness of his people—to warn them, ere it be too late—while thrones are tottering, and crowns are falling around us—while they themselves are reminding us, most properly and most wisely—I thank them for it—while they are reminding us, that even now God's judgments are in the earth—to warn them, I say, that He, by whom Kings reign, may be provoked to say again, what He once said to a monarch whom He had Himself placed over His own chosen people—"Because thou hast rejected the Word of the Lord, He hath also rejected thee from being king over Israel."

The Bishop of *Chichester* thought it must be admitted on all hands that there was a great want of education in Ireland, and that it could be no matter of surprise that the condition of that country in this respect should have so often attracted the attention of so many successive Governments, and thereby led to the appointment of various Commissions, and had also given occasion to so many Committees of the House of Commons. With reference to such a subject, he felt that he ought, as a minister of religion, to avail himself of the earliest opportunity to declare his sentiments, more especially after certain observations which had just fallen from his right rev. friend on this subject, which he felt it necessary to controvert. It appeared to him that his right rev. friend had altogether kept out of sight the very peculiar nature of this experimental plan; he had looked at this scheme of education as a virtual exclusion of the Bible, and a giving up of Protestant principles. If he (the Bishop of Chichester) thought such would be the effect of the system proposed, he was the last man in that House to give his assent to it; but, he thought that, in so considering it, the right rev. Prelate took a hasty and partial view of the question. No one could deny, that there was a great want of education in Ireland; and that, if this scheme of education was rejected, education could not be extended, for the Catholics would not send their children to school at all. Those who opposed this scheme kept out of sight the peculiar nature of the country for which the plan was designed. It was an experimental plan, for a people of whom the vast majority were Catholic. The question, under these circumstances was, whether a benevolent Government should not devise some plan of education by which, without offending the prejudices of the Catholics, they could induce them to send their children to the public schools for education? This had been their object, and accordingly it was proposed, that the children should be occupied for five days of the week in a moral and miscellaneous education, and during a part of those five days they were also to receive religious education. The other two days of the week were to be exclusively devoted to religious instruction, and the children were to be allowed to read the Bible at home. There was no person who would not say, that this portion of the week for the religious education of children was quite sufficient. He would quote the words of a great writer and a good Protestant—of Locke, who, in his *Treatise on Education*, said—

> "The reading of the whole Scriptures indifferently is what I think very inconvenient for children, till, after having been made acquainted with the plainest fundamental parts of it, they have got some kind of general view of what they ought principally to believe and practise."

With this opinion he entirely concurred, and he could quote others of an equally decided nature, by other men of high attainments, of great talents, and of sound Christian principle. There was the opinion of Mr. Burke, who was another good Protestant, and who came to the same conclusion as Mr. Locke on the subject of putting the Bible into the hands of children. Mr. Burke said—

"The Scripture is no one summary of doctrine digested in such a manner that no man can mistake his way in reading it—it is a most valuable book, indeed, but of a multifarious description. It treats of cosmogony, of legislation, of ethics; it is divided into different books, written by different authors, in different ages, and for different ends and purposes. It is necessary, in giving it to children, that there should be selected out of it those parts which are to be examined—those which should be used as directions—those which are arguments *ad hominem*—those which are merely recommendations, and those which impose positive obligations—those which are appropriate to one state of man, and those which are proper for all Christians whatever."

Yet that was the book, so described by Mr. Burke, which the Government were blamed for not putting at once and entire into the hands of uneducated plough-boys. It would not be supposed that any man was to spend the whole of his time in the perusal of the Scriptures. That surely was not the argument, neither did he think that any very large portion of the time spent in school should be devoted to Biblical study. He found, as far his limited experience went, that the people of Scotland were well instructed in the principles of the Christian faith, and the humblest among them was well acquainted with, at least, the important and practical portions of the Holy Scriptures. A friend of his, who was much better acquainted with Scotland than he could pretend to be, had told him that the religious education of the children was chiefly effected at home—that in the schools very little time, indeed, was exclusively devoted to religious instruction; that in some of the schools parts of the Bible were selected for reading; but, that the main support of the religious education of the children of Scotland was to be found in the domestic instruction of their parents, and he thought that to be among the best means of affording them religious education. Under these circumstances, he could not conceive that any blame rested with the Government for the plan they had now proposed. Having thus expressed his opinion on the plan itself, he must just refer, for one moment, to what had been said about the Archbishop of Dublin and his opinions, and those observations, he must say, he thought had been somewhat invidiously introduced. He had not the honour of knowing that most rev. Prelate, and, perhaps, he might not have read his books with the attention which the right rev. Prelate had paid to them, but he must express his belief that the Archbishop had not denied the sacredness of the Sabbath. It appeared to him that the Archbishop had not denied the sacredness of the Sabbath, but had only argued to show that the causes of its origin were not entirely what they were supposed to be. The right rev. Prelate had spoken as if the effect of this scheme of education would be, to exclude religious books altogether. That was, however, a mistake. The right rev. Prelate, too, appeared to fear the influence of Dr. Murray too much. Surely if his conduct became unreasonable, there could be no doubt that the noble Duke at the head of the Commission would have firmness enough to make such Representations as would lead to the exclusion of that individual. But he did not fear that such a course would become necessary. Under these circumstances, he should support the plan proposed by the Government, and give his vote against the Resolution moved by the noble Earl opposite.

Lord *Montagu* begged to say one word, in consequence of what had fallen from the right rev. Prelate on the subject of education in Scotland, there being no Representatives of the Scotch Church in that House. What he wished to state was, that in Scotland the Bible was considered a most essential book in advancing the education of youth.

The Earl of *Radnor* was very glad that he had yielded precedence to the right rev. Prelate who had just addressed them, for the answer he had given to the former right rev. Prelate was most complete and satisfactory. Still, however, he could not reconcile it to his own feelings to remain altogether silent as to the observations of that right rev. Prelate. With respect to the latter part of the speech of the right rev. Prelate which had been evidently worked up with much care and labour, he must express his astonishment, especially as against all who differed from him in opinion he had vented his anathema. To that right rev. Prelate he would say, that he did not yield to any man in his attachment to religion, or in his anxiety to promote its interests; that he had seen with fear and dismay the symptoms of the times, so much so that it sometimes appeared to him that the judgments of God had become visible upon earth; but he denied that he acted in opposition to those judgments when he voted, as he should most cordially and sincerely vote, in opposition to the Motion which had been proposed to their Lordships. The right rev. Prelate had uttered his anathema against those who differed from him. He did not join the right rev. Prelate in that respect, and least of all could he join with him in that with which he had concluded. The right rev. Prelate appeared to even pin his loyalty on this point, and had assumed to himself the voice and the words of the Holy Prophet—words which the Holy Prophet addressed to the Throne—and the right rev. Prelate, using the words addressed to the king of Israel, uttered a warning that they might not again be addressed to a king—"because you have rejected the word of God, he hath rejected you." Their Lordships and the people would determine whether the mode adopted by the right rev. Prelate was the best that could be adopted for the support of the cause of religion and charity. It was often said, that in this world wonders never ceased, and so it really seemed from what had occurred on the discussion of this question. Those who agreed with the right rev. Prelate contributed to the agitation of Ireland by the numbers of the people they collected together, and to whom they talked of the Bible being taken away from them; and these meetings were collected together, and these cries were put forth by those who complained of agitation in that country. The right rev. Prelate had mistaken the words of Mr. Stanley's letter. If the right rev. Prelate had read the letter correctly, he would see that the use of the Scripture without note or comment was there spoken of [*hear, hear*]. That remark was cheered by noble Lords opposite, as if there was no difference between the use of the Scriptures and the use of the Scriptures without note or comment. Why, twenty-five years had not elapsed since the time when the Bible Societies began their labours, and a great outcry was then made by the orthodox against the distribution of the Bible without note or comment, and without the Prayer-book accompanying it. At that time three-fourths of the Bishops would have deprecated the introduction of the Bible without note or comment. But now, when the tables were turned, and the Roman Catholic made the same objection, then the orthodox became of a different opinion. He thought that the Bible without note or comment should be distributed, and that each sect should employ it in teaching their followers according to their own particular opinions. The right rev. Prelate had attacked Dr. Murray, as if that rev. personage was the only Bishop who had ever changed his opinion. He believed that the right rev. Prelate himself had, on one occasion, changed his opinions, and would probably change them again, if he saw sufficient reason to believe himself mistaken. He thought the constitution of the Board, as now proposed, was the best that could be adopted with a view to the benefit of the Church of England. An appellation had been applied to the Romish Church in Ireland, of a kind of which good taste should have prevented the use; but, if the appellation had any resemblance to the object to which it was applied, it should be remembered that, as they grew old, like other bodies, they lost their charms, and, as men became wiser, they lost the number of their followers. Let them remember this, and supply the education which would hasten the detection of their followers. The right rev. Prelate spoke as if they were about to sap the foundation of religion. He denied it, and he maintained that he and those who were with him were entitled to the belief that they, as honestly and as conscientiously, and with as full an attachment to religion as their opponents, supported the plan which had been proposed by his Majesty's Government.

The Bishop of *Exeter* wished to be allowed to say a few words in reply to the remarks of the noble Earl, and hoped their Lordships would extend their courtesy so far as to allow him to defend himself against the insinuations of the noble Earl. The noble Earl had insinuated against him that he had changed his opinions, and was ready to change them again.

The Marquis of *Clanricarde* rose to order. It was competent to the right rev. Prelate to explain; but it was inconsistent with their Lordships' practices to allow any Peer to enter upon his defence in a second speech.

The Duke of *Wellington* said, it was the established courtesy of that House, though, perhaps, not strictly consonant to order, to allow any Peer, against whom a charge was brought, not only to explain what he had said, but also to make a defence; and, he never knew an instance in which a charge was thus made, and the party thus charged refused a hearing.

Lord *Holland* admitted, it was usual to extend such courtesy to a Member of their Lordships' House, as he thought that every man should be allowed to defend himself; and, though he himself might be a little out of order, he must say, that the right rev. Prelate would have done as well by abstaining from making invidious remarks on the character or opinions of another Prelate who was necessarily absent, and who, therefore, could not defend himself.

The Bishop of *Exeter* did not mean to trespass long on the indulgence of their Lordships, and he must first return his thanks to the noble Earl who had made the insinuation or charge, as it afforded him an opportunity, by the statement of a few facts, of giving it a plain, but he hoped satisfactory, answer. What he was about to say was then known to one of their Lordships, and one who, if he erred in his statement, could immediately contradict him. He referred to the noble Duke lately at the head of his Majesty's Government, and he entreated that noble Duke, if he in the least erred in his statement, to contradict him. He supposed the noble Earl who made this charge concluded that he (the Bishop of Exeter) had pledged himself with the late Administration to give his unqualified support to the Catholic Question. On that question he had always held decided opinions, and he had always thought that concession should not be granted without being accompanied with strong securities. His opinions upon that subject were well known. The noble Duke, when in office, had done him the honour to communicate with him on the subject, and, having stated his intention to propose a measure for the relief of the Catholics, had condescended to ask his opinion; he (the Bishop of Exeter) told the noble Duke the securities he thought necessary; and, having ascertained through the same channel the determination of the Cabinet, he told the noble Duke that he entirely disapproved of the proposed measure, and in all his communications with the noble Duke he took the liberty of telling him that the proposed securities were inadequate. Having made this short statement, he again put it to the noble Duke, who alone knew of the communications, to contradict him if he had stated what was incorrect.

Lord *Stourton* had always avoided taking a part in similar discussions; and, in so doing, he hoped that he was interpreting correctly the feelings of the House, as well as following his own. He certainly dissented entirely from the opinions and the tenets that he had heard often ascribed to persons of his religious belief. But yet he abstained from any expression of his own sentiments, and mingling in discussions that might, in his regard, appear to be somewhat of a personal nature. If he departed from this general rule upon the present occasion, it was singly and solely because the tenet ascribed to Roman Catholics of withholding the Scripture from the people, which had been rebutted by a noble Duke, a friend of his, had been again attributed to the Roman Catholics by the right rev. Prelate, who immediately followed that noble Duke in this debate, and he wished, therefore, to bring before the House the evidence of Dr. Doyle, as taken upon oath before their Lordships' Committee in 1825. And the noble Lord who opened the debate had acknowledged that Dr. Doyle was authority on those points. Dr. Doyle was asked, "In the address of the Roman Catholic Bishops to their clergy, published at the end of last year, and to which your name is affixed, it appears that you object to the possession of the Bible by the Roman Catholic laity: does that apply to the Bible attempted to be circulated by the Bible Society, or does it equally apply to any other version of the Scriptures, such as that called the Rheims or Douay Version?" "It applies to the version sought to be circulated by the Bible Society amongst us, and not to the Rhemish or Douay Version, which is sanctioned by our Prelates. That we have no aversion to the reading of the Bible, and the possession of it by the laity of our churches is best proved by the great many editions it has gone through in Ireland, under our express sanction, and to which edition there is affixed a Rescript of Pius the 6th, directed to a Prelate in Italy, called Martini, who had translated the Bible out of the Vulgate into the Italian language. We prefix this Rescript of Pius the 6th to our editions in English of the Bible, in order to show that not only we, but the head of our Church is joined with us, in exhorting the faithful to read the Word of God. We have not only procured editions of the Bible, I believe three by Coyne, two by O'Reilly, and one by Cross (perhaps it is two); but this very year we have procured a stereotype edition of the Bible, of a small print and low price, to circulate it among all. So that of all things said of us, there is not any thing said of us more opposed to truth, than that we are averse to the circulation of the Word of God." "Have the editions which have been circulated of the Douay or Rheims translations been accompanied with notes?" "They have very short notes." "You think it necessary that notes should accompany the Bible for the purpose of explanation?" "In our country, where religious controversy prevails to such an extent, I do think it necessary that short notes, explanatory of the texts, on which our differences turn, should be prefixed to the Bible." He would say only one word as to Dr. Murray, a person exercising episcopal functions in Dublin, whose name had been brought before the House. Of that right rev. person he must affirm, that he knew no one who, from his great talents and virtues, and amiable, and mild, and conciliatory character, was more calculated to render important and valuable services to a country, in which conciliation and forbearance and charity were the highest requisites, as leading to that tranquillity and concord which was so truly and eminently desirable.

The Earl of *Roden* said, it was not his intention to have addressed their Lordships on this occasion, had not particular allusion been made to him for having attended certain meetings of his Protestant fellow-countrymen, who met together for the legal and constitutional purpose of petitioning for a redress of the grievances which they thought they had experienced at the hands of Ministers. He freely confessed that he had attended such meetings, and felt highly honoured in being allowed to unite with so many hundreds of his Protestant fellow-countrymen, in opposition to a system which was levelled directly against their rights and liberties. It was not his intention to occupy much of their Lordships' time on the present occasion, having addressed the House at considerable length on a former evening on the question now under consideration. Nevertheless, he could not refrain from expressing the gratification he felt at hearing the speech which the right reverend Prelate the (Bishop of Exeter) had addressed to their Lordships. It was a speech which did honour to his head and heart, and to the character of the House. That truly Christian Bishop had given utterance to sentiments which must be hailed with joy by the people of this country. Standing in the high and responsible situation which the right reverend Prelate filled, he had expressed opinions which would gain for him the esteem of all good men. It would be necessary for him to bring back the attention of the House to the question before them, which had, in some degree, been lost sight of, by the introduction of circumstances totally unconnected with it. The question was, whether the system of education proposed by Ministers was calculated to prove beneficial to Ireland? and whether the Kildare-street Society had not answered every purpose for which it was constituted, considering the means placed at its disposal? On a former occasion he had proved to their Lordships that the Kildare-street Society, which took the unmutilated Scriptures as the basis of education, had given satisfaction, not only to the Protestant clergy and people of Ireland, but to the Catholic population themselves. He then stated, that the only individuals opposed to scriptural education were Roman Catholic Priests, and Roman Catholic demagogues, and that the Catholic people, when permitted to indulge their own wishes, were continually flocking to the schools established by the Kildare-street Society. He could state as a fact, that the Catholic children were even more anxious than Protestant children to attend these schools. It was an anomaly in this country to behold a Protestant Government uniting with the Roman Catholic clergy to prevent the Roman Catholic people from enjoying the free use of the Scriptures. He begged to remind their Lordships that he had presented many petitions from different parts of the kingdom, against the system of education proposed to be established in Ireland. There were now lying on their Lordships' Table, upwards of fifty petitions against this system, and only two in its favour. It had been said, that these were not to be considered the petitions of the people, but only those of factious persons, who had got them up to serve their own purposes, and in the same way noble Lords who did not approve of the proposed system, had been accused of being actuated by factious motives. He denied those statements. The petitions which he had presented were signed by persons of various sects and classes. The other day he had presented a petition from the county and city of Cork, signed by nine noblemen, and 4,900 other persons, consisting of Reformers and Anti-reformers, Orangemen and Liberals, who all united in one common cause—that of opposition to the system of education proposed by Ministers. He, and those with whom he acted, maintained that this system was impolitic and unchristian. It was in vain to say there were two days in the week set apart for religious instruction. On those two days the Roman Catholic children would be handed over to their priests, who would not allow them to read the Scriptures. He said, therefore, that Ministers, in framing these regulations, had united with the Roman Catholic clergy to prevent the people from enjoying the blessing of Scriptural education. There was one point which had been but little alluded to in this discussion, that was, the appointment of the Board of Superintendence. It appeared to him that the powers given to the Board were alarming. Those powers went to the extent of allowing them to remove the education of children completely from the influence of their parents and natural guardians. This was an authority which ought not to be tolerated in any country. He now begged leave to call their Lordships' attention to a document of considerable importance, which would prove the correctness of his assertion that the Roman Catholic people were not averse to the reading of the Scriptures. He must, however, previously state how this document came into existence. Some years ago, a society was established in Ireland, for the purpose of publishing the Scriptures in the Irish language, it being supposed, that, from the attachment which the Irish had to their native tongue, they would receive such a version of the Bible with the greater joy. That society had silently but effectually marched on its course, and had proved a great blessing to the benighted parts of Ireland. On the 17th of March last, the annual meeting of it took place in Dublin, on which occasion a deputation from 3,221 students and teachers of the Irish language presented the paper which he now held in his hand. It was addressed "To the Committee of the Irish Society for educating the Native Irish through the medium of their own Language," and is as follows:—

"It having been officially and publicly stated, that his Majesty's present Government are of opinion, 'that the determination of education societies in Ireland to enforce the reading of the Scriptures in their schools had defeated their object as education societies,' and that, on these grounds, parliamentary aid is to be withdrawn from such institutions.

"We, Roman Catholics, masters, and adult scholars, in the King's-court district, in connexion with the Irish Society, having, through the instrumentality of that society, been taught to read the Scriptures, and thereby to appreciate them as the word of the living God, feel it an imperative duty—a duty which we owe to the Irish Societies, ourselves, our children, and our fellow countrymen, to come forward at this momentous period, when the present mode of education is about to be changed, and the Scriptures removed from our national schools, publicly to express our humble, but most firm, sincere, and heartfelt sentiments on this important subject.

"In that sacred book, which many of us, at an advanced age, have been taught to read in our beloved tongue—in that sacred book which to us and our fathers had been too long unknown—we are commanded to be subject to the higher powers. In obedience to that divine injunction, and with due respect for rulers, we would beg leave to assure them that the opinion 'that Education Societies in Ireland, by enforcing the reading of the Scriptures in their schools had defeated their objects as Education Societies,' is not founded in truth.

"In our humble sphere of life, mingling daily among the numerous peasantry, of which we form a part, we have more sure and certain means to know the real sentiments of that peasantry relative to Scriptural education than any Member of his Majesty's Government. We, therefore, most truly and solemnly declare, that the Irish peasantry in general are sincerely and zealously attached to the Scriptures, and, instead of objecting to send their children to Bible schools, the very circumstance of the Bible being read in a school would induce many of them to prefer that school.

"In proof of this statement, we would refer to the thousands of Roman Catholic youth in the London, Hibernian, Baptist, and Kildare-Place schools: we would refer to the thousands of the adult Catholic population at present in the Scriptural schools of the Irish Society; we would refer to the way-layings, abuse, and murders to which Irish masters and scholars have been often exposed; we would refer to the immense and annually increasing issue of Scriptures from the Hibernian Bible Society; we would refer to the thousands of Irish and English Scriptures, which Irish masters annually circulate amongst their numerous adult scholars. We can assure the Committee of the Irish Society, we can assure his Majesty's Government, that the Irish peasantry are most anxious for Scriptural knowledge for themselves and for their children. There are thousands and tens of thousands of Roman Catholics, whose cry may never reach the ear of the British Senate, and who dare not breathe a word against the tyranny that oppresses them, who, from sincere love for Scriptural education, in defiance of every species of hostility, continue to send their children to Bible schools.

"Under these circumstances, though conscious that the society with which we are connected is entirely independent of parliamentary aid, and unaffected by recent legislative enactments, still, we trust that a British Parliament never will use its influence to arrest the progress of Scriptural knowledge in Ireland, deprive the Irish peasant of the book of God, which he reveres, or withdraw its usual aid from any society, merely because the Bible was read in its schools.

"Believing that the Holy Scriptures contain the mind and will of God to his creatures, that they were given for our learning, and are able to make us wise unto salvation, through faith in Christ Jesus, we consider them the only sure and safe basis for the literary education of youth, the only general centre wherein the various religious denominations can meet; and we are convinced, that, pure and entire as they came from the Deity, and were given to man, they are the property, the privilege, and the birth-right of every human being, with which no power on earth has any right to interfere."

"This Address was presented to the Irish Society at its annual meeting on Saturday last, 17th March, by a deputation of Irish masters, all Roman Catholics; and it was signed by 3,221 names. Every dependence might be placed on the genuineness of the signatures to which the abode of the party and nearest post town were attached. No individual was allowed to affix his name without being made thoroughly acquainted with the nature and contents of the document. The reverend Mr. Winning of King's-court, who lives in the midst of these people, wrote to him: 'I am confident that if time had permitted, and exertion had been made, that, instead of three, we might have had ten thousand signatures. The same persons would have signed a petition to Parliament to the same purpose; but when those persons in Dublin, who would have wished for a petition to Parliament first heard of the signing this address, there had been already 1,000 signatures attached to it.' And when Mr. Winning and other persons in the county first knew of the feeling and intentions of the people, they were afraid to urge them to sign a petition, lest, from their names getting into the hands of the demagogues, they might be exposed to personal violence. Were it not for this fear of violence, these persons would have petitioned their Lordships; but the consequence of their doing so, would be the destruction of their property, by burning or otherwise. Intimidation prevailed in Ireland, at the present moment, to an extent absolutely frightful. He spoke the sentiments of the Protestant people of Ireland; and he knew them well. During the last three months, he had mixed with Protestants of every denomination, and, therefore, he might venture to say, that no individual was better acquainted with the Protestant people of Ireland than himself. They thought that the measures of Ministers would lead to the annihilation of Protestantism in Ireland, and, under this impression, they were already taking measures to emigrate from their country. Their Lordships, who lived in this country, in peace and security, could form no idea of the situation of the Protestants of Ireland. The brave, noble, and devoted Protestant people, though surrounded by Catholics, who greatly outnumbered them, and were determined, if they could, to annihilate them, still maintained their ground against superior force. *Fas est et ab hoste doceri.*—The agitators had set them an example of combining, and they had followed it by forming themselves into various societies, not for revolutionary purposes—not to put down the Government and overthrow the law—but to uphold the Constitution, and to protect themselves and their property. They looked for aid where aid was not to be found—for protection, whence protection was not extended to them; but, on the contrary, they saw every opportunity taken for the manifestation of the partiality which Government felt for their enemies. He held in his hand a declaration, which described, in more forcible language than he could employ, the situation of the Protestants of Ireland. This paper was their address to their Protestant brethren in England. It stated, that the Protestant clergy had been denounced; that some were suffering severe privations, and that others had been assassinated and stoned to death in the face of day; that the Protestant farmers were obliged to barricade their houses to prevent them from being broken into at night and themselves murdered; that, owing to the manufactory of pikes, which had for many years been carried on, the Catholic peasantry of Ireland were become one armed band; that the evils of their situation had broken the ties which bound them to their homes, and had induced no less than 60,000 Protestants to seek an exile on the trans-Atlantic shore since the passing of the Emancipation Bill. It was not enough, too, that the Protestants were injured, they were also insulted, by those who should protect them. It was said, that they opposed the Government, but he must affirm that they had only united, and formed themselves into societies in self-defence, to uphold the law, and, for the protection of their liberties, their properties and their religion. This measure of education, forced upon the people of Ireland, was but a part of all those measures adopted by his Majesty's Ministers towards that country—it was to strike at the foundation of Protestant principles and Protestant influence. They had all the same leaven, whether the Reform Bill, the Jury Bill, or the Education Bill. The partiality of his Majesty's Government towards the agitators of Ireland was too clear not to be seen: he could enumerate many instances, but there was one which came home to the heart of every Protestant, as an act of the greatest oppression, the greatest injustice, towards one of their body, and that, too, because he was a member of the Protestant party, and because the Roman Catholic demagogues were to be propitiated. He referred to the case of Captain Graham, a Magistrate of the county of Wexford, who, in the execution of his duty, acted in a manner which was creditable to himself, and beneficial to the public interests. To prove that position, that gentleman was indicted by Government for murder, in consequence of some person having been killed by the police under his command, in an affray which occurred about tithes. He was indicted at the last Summer Assizes at Wexford. The Grand Jury ignored the bill preferred against him, but his recognizances were still continued, and he was told that he must appear to take his trial at the next Assizes. A bill of indictment for the same offence was preferred against him at the last Spring Assizes at Wexford. The Grand Jury, which was composed of the most respectable men, some of whom were not unknown to many of their Lordships, and among whom were three Roman Catholics, again ignored the bill. What was the result? Captain Graham had been turned out of the commission of the peace, for no other reason than that he had been acquitted of all improper conduct. The Protestants considered this to be partiality. They looked upon Captain Graham's case as their own. They saw in the conduct of the Ministers towards him the feeling which the Ministers entertained towards them. They knew that their interests were at stake, because Captain Graham suffered for their cause. He held in his hand the charge of a Judge who presided at the trial of an individual named Gilfroy, who was one of Captain Graham's companions in arms on the occasion when the event occurred for which he was indicted. He quested their Lordships' attention to the following extract from this charge. The learned Judge said:—

> "Although Captain Graham is not personally on trial, yet his case is so mixed up with the matter before the Jury, that it is impossible to separate them. I, therefore, feel it my duty to declare my opinion, that the conduct of Captain Graham, as a Magistrate, an officer, a gentleman, and a man of humanity, before, during, and since the tithe affray, is unimpeachable."

This was the man whom the Government had thought proper to stigmatize, by depriving him of his Commission as a Magistrate for Carlow, Wexford, and Meath. He left their Lordships to decide upon such an undeserved act. He could not sit down without declaring that the Motion of the noble Earl should receive his warm support.

The Earl of *Gosford* said, that the noble Earl who had just addressed their Lordships had asserted, that the Protestants of Ireland were unanimous in their opposition to the measures proposed by Government. No doubt, the noble Earl believed the fact to be as he stated it. But had no attempt been made to excite the passions of the people on this subject? He asserted that the utmost ingenuity had been exercised to pervert the truth, and to attribute false motives, in order to raise a spirit of opposition against the Ministers, who were adopting measures which, if allowed to go on, would, he believed, in his conscience, establish the peace and happiness of the country. He had abundant evidence to support these assertions, as to the means which had been resorted to in order to excite a spirit of opposition to the plan of education proposed by Ministers. Emissaries were sent through the country to inform the people that the object of Government was to take the Bible from them. The noble Earl talked of his knowledge of the Protestant feeling of Ireland. He did not yield to him in this particular, nor would he admit that he felt less love and reverence for

Protestant interests than he did. He would always advocate the Protestant cause, and if he thought that Government entertained any design of injuring it, he should consider himself base if he did not rise and declare that he withdrew all confidence from them on that account. He could not, however, but say that it was very hard that loyalty should be claimed as the exclusive possession of one party. Was no man to be considered loyal, religious, or conscientious who did not adopt the extravagant views of a particular party? This was not consistent with the true spirit of Christianity, which inculcated good will to all. When he saw a Government placed in a most arduous situation, and compelled to adopt measures which interfered with prejudices and deeply-rooted animosities, he felt bound to afford them all the support in his power. It was said that, by the new system of education, the Bible was to be excluded from the schools in Ireland. He contended that assertion was not correct. The Bible was, for all practical purposes introduced. The Scriptures might be read every morning and evening, and on two entire days in the week. How, then, could people say, that the Bible was excluded from the schools? How could any man in his sober senses come to that conclusion? The Resolution which had been submitted to the House was totally unfounded in fact. Was it possible their Lordships could agree to a resolution which stated that the Bible was practically excluded from schools. He wished it could be left to a Jury of twelve plain men to decide whether there was the slightest foundation for such a statement. The noble Earl seemed to think that the Superintending Board would possess an arbitrary control over education in Ireland. It was his opinion that this Board would prove of great utility; but if there should be any misconduct on their part, and Government refused to interfere with them, Parliament possessed a remedy in its own hands—it could refuse to grant them any money. He must again declare, that the Protestants of Ireland had been deluded with respect to the Ministerial plan. He had just received a letter from a Protestant clergyman in that country, who was a most zealous supporter of the establishment, and that gentleman said, the people in his neighbourhood could not account for the cry that was raised against the new system. The noble Earl had said, that the Protestants in Ireland were united as one man against it, but there was great reason to doubt the accuracy of the noble Earl's information, for it appeared that the total number of schools applied for under the new system was upwards of 200, out of which grants had been made to sixty-one. The applicants in these sixty one cases were Protestants, Presbyterians, and Catholics, and the average number of children educated in each school was 221. He was convinced, from that fact that the opposition which had been so strenuously got up would gradually disappear, for it was impossible that in a country like Ireland things could continue to be regulated upon an exclusive system, or that it could be governed by opposing one party against another. The spirit and intelligence of the country were wholly against such a plan. He was, therefore, most happy to see symptoms of improvement, and he was determined to support a Government like the present which had originated such measures. He hoped they would persevere in their course, which he was sure, would materially tend to the permanent improvement of Ireland.

The Bishop of *Bristol* said, his objections to the proposed plan were, that no system of education from which any part of Scripture was systematically excluded could be good. They were now called upon to sacrifice a principle hitherto acted upon within the Charter schools and the Kildare-street Society's schools, in all of which the entire volume of Scripture had hitherto been allowed without restriction. A right reverend Prelate had quoted a passage from Locke expressive of his approbation of selections from Scripture for the use of schools. That great man, who considered all Scripture as having God for its author, salvation for its end, and truth, without any mixture of error, for its matter, might well have recommended selections with a view to the instruction of youth in a manner and degree adapted to their ages and capacities, but this was a very different thing from a compilation of extracts, from which doctrinal points were systematically excluded; as was to be the case with the proposed compilation for the schools of Ireland. The question was of great importance, because the Government plan would gradually absorb all other plans of education, to the great injury of the Protestant religion.

The Bishop of *Llandaff* said, he felt alled upon to defend the right reverend 'relate, the Archbishop of Dublin, from ne imputation of entertaining anything ss than the most orthodox opinions with espect to the sacredness of the Sabbath. 'he whole charge made against him origiated in a mistake. The question which e had raised was not as to the extent 'hich Christians were bound by the strict bservance of the Sabbath, but whether ey ought to observe the same day as 'as enjoined to the Jews. Whether it 'as the first or the last day of the week nat was to be observed, he held that Chrisans were bound to keep the Sabbath oly; and, with respect to the nature and xtent of those obligations, he did not iffer from the received opinions in the 'hurch of England, for his investigations elated to a branch of the subject wholly istinct. With respect to the new system f education he, the Bishop of Llandaff, hought it had been objected to in stronger erms than it deserved. At the same ime, as the plan was disapproved of by he great body of the Protestants of Irend, and as the interest of the country reuired that the whole Protestant strength hould be united, he did not feel justied in giving the proposed plan his support.

The Marquis of *Londonderry* knew, from he best sources of information—indeed here was no man who had the slightest cquaintance with Ireland could doubt—nat the Protestants in that country looked pon the system established by the Kilare-place Society as one of the best dences of Protestantism, and they felt that he proposed system was the first step to ne establishment of the Roman Catholic eligion. The next would be, to separate ne two countries. So strongly did he eel that the new plan was disastrous, that e almost regretted the vote he gave in avour of the Emancipation of the Cathocs, which had so soon been followed by urther concessions, and by demands for ther concessions.

Lord *Plunkett* would briefly explain a ew of the grounds upon which he should ppose the Motion. In the first place, he ould affirm, and that without fear of conradiction from any impartial man, that ll the reasonable portion of the Protestnts of Ireland received the plan of Goernment education with readiness and ith gratitude, notwithstanding that many arts had been resorted to, and great skill exerted for the purpose of deluding the Protestant inhabitants of that country. For the purpose of exciting and deluding the Protestant mind of Ireland, there was no act that a perverted ingenuity could devise, or an unscrupulous and factious spirit call into activity, which had not been exerted on the occasion which had now been brought under their Lordships' consideration. He was unwilling to believe that holy names had been introduced into the present discussion to serve a political purpose; neither would he say, that his sentiments on religious subjects were different from those of other men; but this he would say, that the mention of those names, in that place, and upon that occasion, excited feelings in his heart which he hoped never again to experience. But, without troubling the House with any further observations of that nature, he would beg just to state the question which the present Government of this empire had to decide with reference to Ireland. No man in the present day contended that there ought to be separate systems of education established for the people of Ireland—then the question would be, whether a joint system of education should be resorted to? As things stood before the present Board was established, the Catholic population of Ireland did feel the greatest dissatisfaction at the mode in which those public funds had been administered, which were intrusted to the Kildare-street Society. The system of that association dissatisfied them—an opposite system would have given just cause of complaint to the Protestants—a joint system of education was required for the people at large, and what, then, remained for the Government but to adopt that course which had encountered so much condemnation from noble Lords on the opposite side of the House, and from some Members of the right rev. Bench? Now if that censure were well founded, and the arguments upon which it rested just, it followed of necessity that there could be no joint system of education for Ireland—a state of things which the most strenuous supporters of the Kildare-street Association could not desire—at least, did not profess to aim at producing. But, setting aside altogether considerations of that nature, he would bring the matter to this issue. It was alleged that the Roman Catholics held it as one of their principles that no man was to exercise any right of private judgment as to the doctrines of religion. He should not then stop to inquire how far such a principle might be in accordance with the injunctions of the Divine Founder of our religion, but he believed that the principle of the Roman Catholics, had been on that point, over-stated—they only denied the right of private judgment, that when any person brought up in their communion in reading the Scriptures arrived at a conclusion which led him to put a different interpretation upon Scripture in reference to articles of faith from that received by the heads of the Roman Catholic Church, that thenceforward he ceased to be a member of that communion. That, he believed, was the principle of the Roman Catholic Church, and he trusted it would not be imputed to him, if he refrained from stating at that moment what were the principles of the Protestants—in truth, he believed no one would attempt to say, that they held in that respect doctrines different from those held by every Christian Church—namely, that, though conceding the right of private judgment, they did not hesitate to inform every one who, in reading the Scriptures, arrived at a different conclusion from that which was orthodox, must cease to be a member of that Church. Now if religion required of the Protestants that they should push their principles to an extreme, nothing was more clear than that there could be no system of national education for the Catholics. It would be in vain that they should offer to the Catholics a system of education clogged with conditions which they could not accept. The system offered by the Kildare-place Society was of that character—it offered that which the Catholics could not conscientiously accept; and when the Irish Government came forward with a system which certainly was anything but a novelty; for it had been recommended by three different sets of Commissioners, they were opposed and calumniated. And what was their great offence? Why, forsooth, that they did not insist upon the Bible being made an ordinary every-day school-book. He believed there was no sound Christian who would not be ready to admit, that though a man read the whole Bible, and made it a book of daily study, yet that, nevertheless, he might turn it to the worst account; while, on the other hand, his religious knowledge might be confined to certain portions of the Holy Scriptures, and he might, nevertheless be a true Christian and a religious man. The constitution of the new Board was also attacked, but he felt assured that the way in which that Board was constituted would meet with general approbation. At the head of it was a noble Duke, whose known high character was a sufficient guarantee that he would act under no undue influence. Doctor Sadler was a man of equally eminent character, and of great attainments. Then came the Protestant Archbishop of Dublin, and he must express his great regret that a right reverend Prelate should, in the ardour of debate, have been betrayed into what, by the uncharitable, might be called an invidious attack upon that right reverend Prelate, by insinuating that he could not enforce the fourth Commandment in consequence of an opinion given in his published works. He was much surprised at the accusation which had been made against Government, of intending to withdraw the Scriptures altogether from the public schools. No candid man who read Mr. Stanley's letter could put such a construction upon it, and he felt astonished to hear the right reverend Prelate join in the senseless and vulgar cry which had been raised against it by a certain party for their own purposes. The question after all resolved itself into this, were they to have a national system of education, or one adapted for a portion of the community only? If it was intended to have a national system, then it followed that as the large majority of the people of Ireland were of the Catholic persuasion, that system must not jar with the religious feelings or prejudices of the Catholics. Th priests of that persuasion did not (as had been too often falsely asserted) object t the perusal of the Scriptures, but to thei indiscriminate perusal, and in this doctrine he must remark, they were joined b some of the most distinguished men in th Protestant Church. The Governmen measure was intended as a middle cours between extreme opinions, and those wh planned it wished to have such a selectio of the Scripture as would promote morality and religion, and to which neithe Catholic nor Protestant could object. The Government hoped to obtain the support of moderate and rational men of a parties in this attempt to soften dow long existing prejudices.

The Duke of *Wellington* felt, that h

was called upon to say a few words respecting what had fallen in the course of the debate from the right rev. Prelate, and he was bound in justice to say that not one word had been uttered by him which was not perfectly correct. He had been often surprised at the imputations which had been thrown out, and the injustice which had been done to the right rev. Prelate respecting circumstances which could not have been known to the public, nor indeed to any other person but themselves? For his own part, he could say that ever since the correspondence took place, he had never mentioned it to any one, and he believed the right rev. Prelate had observed a similar reserve. As to the subject before their Lordships, he thought a different plan to that proposed by Government ought to have been adopted. He was fully convinced a separate system of education might be safely acted upon, and that such a plan would be more advantageous, and was better calculated to the circumstances of Ireland than the arrangement about to be pursued by Government. It was quite clear, that the Protestants of that country were greatly alarmed by the measures of Ministers, and were becoming daily less disposed to place confidence in the Government of this country. This he thought a great evil, for he had always felt, that the strength of the Government greatly depended upon the union and support of the Protestants of Ireland. They were the holders of five-sixths of the property of the soil, they were the best educated and most enlightened part of the community, and it was on them consequently that the Government ought to rely. There could be no doubt that it was by them that the connection between the two countries was mainly preserved. But it was said, that the Protestants of Ireland did not feel so great an anxiety upon the subject. That appeared to him very strange; for, if they did not they would be most extraordinary people. He was convinced, however, that their feelings had been outraged by the plan proposed, and, sorry was he to find that so important a body had been not only disregarded, but actually injured, in some of their most cherished sentiments. The scheme of national education proposed went to subvert a system which had been carried on for upwards of twenty years, and had continued to flourish and increase. At the moment that his Majesty's Government interfered with it there were 600,000 persons receiving an education of a moral and religious nature founded on the Holy Scriptures, at a very trifling comparative expense. The number so educated was a larger proportion as compared with the number of inhabitants educated at the charge of the State in any other country. This plan was pursued for several years, and was not objected to by any party; and it was not until within the last five years that any opposition was raised to it, and then only by the Roman Catholic clergy. A charge of proselytism was brought against the Kildare-place Society, and a Commission was sent to Ireland, one of the duties of which was, to inquire into the truth of the charge: it was inquired into, and the charge was proved to be unfounded. The system which his Majesty's Government had recommended in substitution of that pursued by the Kildare-place Society was a bad one. The plan had been tried before and failed. It was recommended by the Irish Government, at the head of which was a relative of his (the Duke of Wellington). The Commission, in obedience to the desire of the Irish Government, did attempt to carry it into execution, but they found it impossible to do so. He regretted very much that sufficient attention had not been paid to the wishes and interests of the Protestants of Ireland, who were not even adverted to in the proposed measure. He, however, hoped that his Majesty's Government would abandon this plan, and substitute for it one that would give peace and tranquillity to that country.

Earl *Grey* thought, after what had been said on that side of the House, more especially by a right rev. Prelate, by a noble Earl near him (the Earl of Radnor), and his noble and learned friend (Lord Plunkett), that much would not be required from him. He could not, however, altogether pass over in silence some of the statements of the noble Duke, who lamented that persons favourable to the plan should have been deceived. Now, the inaccuracy was in the statements on which the noble Duke himself relied. He bitterly lamented that such a discussion should have sprung up on this question. Religious animosity and party spirit had thrust themselves into the consideration of a measure, and threatened to mar it, the object of which was, to promote peace and good-will, and to put an end to those conflicts of opinion by which Ireland was so unhappily convulsed. The plan of national education to which noble Lords were so hostile was, be it understood, but the complement of the great measure of national reconciliation which it had been the good fortune of the noble Duke to carry into effect. He did hope that that great measure would have ere this realized some of those beneficial results which he and the other advocates of it had predicted as among its first consequences; but he never did suppose that it could realize all the benefits expected from it, unless followed by other measures. He had ever expressed an opinion that Catholic emancipation could never possibly be a panacea for all the ills of Ireland; and he had ever looked forward to a measure like the present as essential to effecting that national regeneration to which the settlement of the Catholic question was but as a means to an end. He did not feel it necessary, after the able statements of his noble friends near him, to enter into a minute examination of the objections that had been alleged against the present system of education in Ireland, and should therefore, confine himself to one or two remarks on the strange course pursued by the noble Duke with respect to that system. That noble Duke told them, that the system was calculated to alienate the Protestants of Ireland from the Government, and had dwelt with some emphasis on the impolicy of estranging a body of so much importance, on account of their wealth, and intelligence, and historical associations. Now, the noble Duke could not entertain a stronger desire to conciliate the Protestants of Ireland than he did; nor could the noble Duke entertain a more profound conviction of the important relation which that body bore to the British connexion with Ireland. But what, he would ask was there in the present scheme incompatible with that desire and conviction? Surely bigotry was not religion. Was it not his duty, if he saw the adoption of a measure was likely to promote the peace and internal improvement of Ireland, to do all in his power to carry that measure into effect, without being intimidated by those obstructions which ill-directed zeal, party spirit, intolerance, or religious rancour might place in his way? Had not this been the conduct of the noble Duke himself on another important question? Indeed, when he recollected that conduct of the noble Duke, he was astonished to hear him use the same arguments against the present plan of education, and reiterate the same assertions as those, the absurdity of which the noble Duke himself had so often and so efficiently exposed. When the measure of Catholic emancipation was in its progress through that House, the noble Duke was nightly assailed by assertions and appeals, in spirit and in letter, as senseless as those which the noble Duke now condescended to advance against the plan of national education which Ministers thought it their duty to introduce into Ireland. The very persons who were now denouncing that system, as destructive of the Protestant interests in Ireland, were loud in their denunciations of the noble Duke's policy, as fraught with ruin to the Protestant establishments of that country. On those occasions, more than once, he had defended the noble Duke. He particularly referred to the first day of the Session of 1830, when Lord Farnham attacked the noble Duke as the author of a measure which must subvert Protestant interests in Ireland, on which occasion the noble Duke properly observed, that he had a right to expect more beneficial effects from Catholic emancipation than had followed from it, and was convinced that those effects would have followed but for the opposition which party and religious feelings had raised against it. "It was not his duty," said the noble Duke, "and it was far from his inclination to cast imputations upon any man, but, still he was bound in fairness to say, that if his Majesty's Government had been properly supported upon that question—if it had been supported as vehemently as it had been opposed, in its efforts to heal the division of Ireland—if it had not been thwarted—that country would now have been in a very different state."* He would now repeat the noble Duke's language on that occasion, in answer to the noble Duke's present observations, and would tell the noble Duke he was convinced that all that the present plan of education in Ireland wanted was, fair play and a just spirit of tolerance. So far as he himself was concerned, his best energies should be devoted to securing it a fair trial, undismayed and undeterred by the taunts and insinuations of right rev. Prelates and noble Lords, who would fain persuade themselves that they had a monopoly of religious faith. He would tell them that no noble Lord nor right rev. Prelate in that House was actuated by a more earnest belief in the great truths of Christianity, nor by a more warm anxiety for the prosperity of the Protestant church, than he was; but he had yet to learn that obstinate adherence to a system which had led to no good results, in a national point of view, in Ireland, but which, on the contrary, had tended to alienate the feelings of a large majority of its inhabitants, was the best mode of proving that belief and that anxiety. He had been educated in a different school, where it was taught that it was the duty of a Legislature to inquire into grievances when their existence was a matter of certainty, and not to wait too long in providing a remedy, lest the delay should impart the character of an extorted concession to what would, if granted in time, have been gratefully received as a boon. This, he feared, had been the case with the Catholic question, and was, he thought, the source of many of the ills which distracted that unhappy country. The noble Duke had not acted with his usual candour in his statement of the effects of the Kildare-street Society. The noble Duke had told them that Society had educated not less than 600,000 persons gratuitously in Ireland.

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* Hansard's Debates (third series), vol. i. p. 51.

The Duke of *Wellington:* I said no such thing. I meant that there were 600,000 persons receiving education gratuitously in Ireland, in establishments which the new system would injure.

Earl *Grey:* Then the argument was good for nothing, for all the Government proposed to do was, to withdraw the grant from the Kildare-street Society, and place it at the disposal of a Board for the education of persons of all religious persuasions, leaving everything else as it was before. The Kildare-street Society was originally supported by private contributions, and he had no doubt it would continue to receive such support; but, all the other schools remained as they were originally constituted. Taking together all the children who had been educated at all the different schools of Ireland, both Protestant and Catholic, the amount of the whole was 560,000. Of these, the number educated by the Kildare-street Society amounted to 57,000 only. [The Duke of *Wellington*: 147,000.] He would give the noble Duke credit for 147,000, but, at the same time, he must say, he believed that number to be a very exaggerated estimate; however, giving him that amount, there still remained upwards of 400,000 untouched. That the Kildare-street Society's system worked well, he much questioned, for, upon reference to the Ninth Report of the Commissioners, it would be found that, in 1827, the number of children educated by that Society was, in the whole, 58,000; and he doubted much whether the numbers had increased proportionably since that period. Indeed, all the information which he had been able to obtain, led him to think, that the number had diminished. In other respects, also, he felt, that the Kildare-street Society's system was not operating beneficially, when considered as one meant to apply to national education. In the first place, as had been stated by a noble Marquis, the chief portion of the persons educated were those of the North of Ireland—in the province of Ulster; in Munster and Connaught, the numbers were comparatively very few. This fact alone showed, that the Catholics, generally, did not profit by it to the extent that was asserted, and that it did not effect the desired object of a general system of national education; because, if by a "national system" anything was really meant, it was, that it should afford the means of education to the Catholic as well as the Protestant population of Ireland. At the same time, it could not be denied that the attempt to gain over pupils to the schools of the Society had caused a great contention between the Protestant landlords and the Roman Catholic clergy, and the Roman Catholic children, in consequence of this, were prevented in a great measure, from frequenting these schools. Looking, therefore, to the state of Ireland, with a view to the suppression of that religious animosity, which unhappily so long prevailed in that country, it became necessary to adopt a system of common education. And to effect that object, Ministers had taken for their guides the Reports of two Commissions appointed by the Crown, and two Committees of Parliament authorized to inquire into the state of education in Ireland. Their Reports had the sanction of persons whose attachment to the Protestant Church it was impossible to doubt; and though Ministers had not adopted the suggestions contained in their Reports altogether, yet they had proceeded upon the general principle on which they were founded. The result was, the plan for a national system of education, which had been the subject of so much animadversion; and which while holding out equal advantages to the children of both persuasions, did not require from the Roman Catholics, as a condition of their admission to the schools to be instituted according to this plan, anything that was inconsistent with the tenets of their Church. But, in acting on this principle, which was essential to any scheme of national education, they were, at the same time, careful that no injury should be done to the best interests of the Protestant religion, or of the Established Church. The question was, were they to have a system of national education or not? A system of education —as applied to Ireland—to be national, must not exclude the Catholics, who formed the great majority of the population. The intention, then, *ex vi termini*, must be that Catholics should be admitted. But they could not be admitted if conditions were imposed upon them contrary to their religious faith. The indiscriminate use of the Bible, without note or comment was objected to by them. It was proposed, therefore, that, for four days in the week, the education should be moral and literary, not excluding such selections from the Bible as might be agreed upon; and that, during the remaining two days, and even before and after school hours, on the other four, the children might receive the instruction of their respective Churches, in addition to the regular attendance at Divine Worship on the Sabbath. Could it be said with truth, that, in doing this, the use of the Bible was excluded, or, that they were introducing a plan subversive of the Protestant Church? That attending for four days in the week to the moral and literary instruction of the pupils of these schools, accompanying these lessons with selections from the Holy Scriptures, inculcating the great principles of charity and truth, was a departure from the principles of the established religion. They abstained undoubtedly, from introducing controverted matters, which would have the effect, if insisted on, of disgusting four-fifths of the population, whom it was their object to reclaim to habits of morality, order, and obedience to the laws, by the diffusion of education generally. The Board was now employed in making such selections from Scripture as might be mutually agreed upon. Their work had successfully commenced by the adoption of the lesson which had been referred to in this and in a former day. It was proposed by Dr. Whateley, having been framed by the reverend Prelate—of whom he would say nothing more than that everything that had happened since his elevation to the See of Dublin, had amply confirmed the opinion which he had formed of him—not without inquiry—and which had induced him to recommend him to his Majesty for promotion; and it was indeed, a satisfaction to him, greater than he could express, to have had it in his power to contribute to his being placed in a situation where his services might be eminently useful both to the Church and to the country. The reflection that had been made upon this eminent person appeared to him neither charitable nor just: he heard it with great pain; but as it had been already successfully refuted, and as the right reverend Prelate himself, from whom it fell, had since retracted, and expressed his sorrow for having gone too far, he would not say anything more upon it. By the most reverend Prelate, then, a lesson had been framed and adopted upon the proposal of the titular Archbishop of Dublin, for daily use in the new schools. But this lesson, the right reverend Prelate (the Bishop of Exeter), said, had been extracted from the Rhemish version of the Bible. So much the better for his argument. It showed a spirit of mutual liberality and agreement, which might lead to the happiest consequences; it was the guarantee of a well-founded hope that by the same mutual agreement, a more general selection from the Holy Scriptures —a work now in progress—might be effected, for the ordinary course of general, moral, and literary instruction, which the pupils were to receive together during their four days in the week. Surely an attempt of that kind, the obvious tendency of which was to prevent animosities and to produce agreement, could not be inconsistent with a course of Christian education, or detrimental to the course of religion and of truth. But then, they were told, that to make selections was to mutilate the Word of God. Was it not the practice of every family to use selections from the Holy Scriptures in the instruction and education of their children? For what purpose were all the excellent books that were published of this description, but to abstract what was recommended in the quotation so aptly introduced by the right reverend Prelate from the works of Mr. Locke (than whom a more sincere friend to religion never existed), which stated the inexpediency of committing to the uninstructed minds of youth the examination of that sacred volume without some guide to direct them? The opinion of Mr. Burke, another authority, which he thought would not be disputed, was the same—that the multifarious character of the Bible was such, that it ought to be reserved for riper years, the mind having been previously disciplined by wholesome instruction, and prepared for the better investigation of the whole of these writings, which, it was the boast of the English Church to open to all its adherents. But, he had another authority to quote, which he was sure would never be stated as one of light weight in any matter, in which the interests of the Church was concerned. He held in his hand an extract from the evidence of Dr. Magee, the late Archbishop of Dublin, before the Irish Committee. Being asked—

"Is not the principle assumed by the Bible Society, namely, the circulation of the Scriptures in themselves, without either the explanation of the Church or any written commentary accompanying it, rather the principle of the foreign Protestant Churches than of the Churches of England and Ireland."

The Archbishop answers—"Certainly."

"Did not your Grace conceive that the admission of so broad a principle as that struck at the root of the Established Church itself, and might lead to schism, and a latitude of opinion almost approaching to that of the Independents?—Undoubtedly."

The system of circulating the Bible, without note or comment, unaccompanied by the Book of Common Prayer had been objected to by many reverend Prelates on the original institution of the Bible Societies; and was it, then, to be said, that, under the present plan, which allowed four days in the week to general education, and two days (exclusive of the Sabbath instruction) to religious education, the Ministers mutilated the Word of God in the selections that were to be used on the first four, or that they excluded the Bible, when the teachers of the respective Churches in the three last days of the week, were granted liberty to make what use they please of it? Could any one, who regarded truth, give his assent to the words of the Resolution proposed, that the Bible was practically excluded? Such a proposition was altogether untenable and contrary to fact. It arose from one of those misrepresentations which had been disseminated in a spirit of hostility to his Majesty's Government. At an early period of the debate, an allusion had been made to the state of religious education in our public schools. A right reverend Prelate took fire at the imputation attempted to be cast on those institutions, which he stated to be now conducted with the utmost care of the spiritual interests of their scholars, and he had instanced the two great seminaries which came more immediately under his observation, as exemplary in that respect. He was glad to hear that. Great improvement, he had no doubt, had taken place; he was himself educated at one of the greatest public schools in the kingdom. He passed there nine years of his early life. He looked back at that period with grateful recollection: but he must say that if the two days set apart for the purpose of religious instruction in the new schools exclusive of Sundays, were faithfully applied, the youth would receive much more spiritual instruction than was afforded, in his time, to the scholars in the public schools of the Established Church. He regretted the feelings of animosity which unhappily existed on this subject, for he had hoped, that party feelings would have been silent upon a subject, connected as it was with the peace of Ireland, and flowing as a sort of natural consequence from the great measure intended to ensure the happiness of that country. He was sorry that he had to express his deep regret at being disappointed in that hope, for he felt certain that this plan would be eminently useful. Its beginning was the guarantee of its future efficiency, and it would have been still more prosperous, if parties, instead of inflaming the minds of the people, had cultivated among them that charitable disposition by which they ought to be united. He trusted, therefore, that the House would not withhold the support necessary to give the plan a trial. He claimed credit for the whole of the King's Ministers, for himself, and emphatically for his right hon. friend, the Secretary for Ireland, who introduced this plan, as bearing as true affection for the Church, as feeling as deeply for the interests of their religion, as any of those who heard him. The question, he repeated it once more, was, whether they were to have a system of national religion or not? The necessity of it had been admitted by all parties, and for the last ten years he had never heard but one opinion upon it. How, then, was this object to be attained? It could only be by a system established on principles which would not be revolting to the religious feelings of the Catholics. It was with this view that the new plan had been introduced, and it was for their Lordships to decide whether, for the sake of throwing on his Majesty's Ministers the stigma of having proposed a measure inconsistent with the duty which they owed to the Church and to the State; they would, by this Resolution, founded on a false assertion, defeat at the outset an endeavour to diffuse the blessings of peace, good-will, and charity amongst the people of Ireland—and thus to give the most effectual support to the Protestant Church, which, founded in truth, and resting on these principles, would be secure, but which could not be safe, as long as it excited the animosity, and was exposed to the hatred of the great body of the people.

The Earl of *Wicklow*, in leaving his Motion to the discretion of their Lordships said, he could not regret having brought it forward when it produced the powerful and eloquent speech they had heard from the right reverend Bishop of Exeter. That speech was one of the most eloquent and argumentative appeals to which he had ever listened. Delighted and gratified as he was at it, and much as he approved of all its sentiments, he was not aware of the full force of it until he heard the attack of the noble Earl, and the indecent cheers which accompanied it, in excellent keeping with the indecent attacks made at other times on the right reverend Prelate's episcopal character in that House. The speech of the right reverend Prelate was, indeed, unanswerable, and, compared with others, was magnificent—like the ruins of Palmyra, which appeared the grander, by the nakedness of the land with which they were surrounded. He must again contend, and was prepared to show from documents, that the Kildare-street Society had always proved itself competent to the education of the people. The noble Earl at the head of the Government treated his defence of the Society as a mere ebullition of party. He denied that it proceeded from such motives; but it was not surprising that the noble Earl disliked the name of party. Forty years of the pains and bitterness of exclusion from office had taught the noble Earl the miseries of party, and now that he had obtained the object of all his ambition, he wished to forget the name of party, and to see discord abandon the earth, and Astræa resume her reign. The declaration made against the system proposed by the Government, which was signed by two Archbishops and thirteen Bishops, was quite conclusive as to the system. It was not possible for any Government to contend on such a question against an opposition which included among its ranks all the most eminent heads of the Established Church.

The House divided, and the numbers were: Content 60; Proxies 27—87; Not content 59; Proxies 66—125—Majority against the Motion 38.

List of NOT CONTENTS.

PEERS PRESENT, 59.

His Royal Highness the Duke of Sussex

DUKES

Norfolk
Somerset
Richmond
St. Alban's

MARQUISES

Queensberry
Lansdowne
Cleveland

EARLS

Mulgrave
Grey
Cowper
Albemarle
Gosford
Charlemont
Amherst
Radnor
Denbigh

VISCOUNTS

Bolingbroke
Hood
Leinster (Duke of Leinster)
Goderich
St. Vincent

BARONS

Lilford
Sefton (Earl of Sefton)
Rosebery (Earl of Rosebery)
Holland
Melbourne (Viscount Melbourne)
Sundridge (Duke of Argyll)
Foley
Plunkett
Napier
Gower
Dover
Brougham
Monteagle (Marquis of Sligo)
Dinorben
Howden
Somerhill (Marquis of Clanricarde)
Stourton
Hill
Wellesley (Marquis Wellesley)
Clements (Earl of Leitrim)
Oakley
Chaworth (Earl of Meath)
Saye-and-Sele
Fife (Earl of Fife)
Fingall, (Earl of Fingall)
Dundas
Howard of Effingham
Mendip (Viscount Clifden)
Panmure
Ponsonby (of Imokilly)
Suffield
Clifton (Earl of Darnley)
Lynedoch
Auckland

BISHOPS

Chichester
Killaloe

PROXIES, 66.

DUKES
Portland
Brandon
Bedford
Devonshire
Grafton
MARQUISES
Breadalbane
Stafford
Westminster
Winchester
Ailsa
Westmeath
EARLS
Spencer
Buckinghamshire
Ferrers
Derby
Nelson
Hillsborough, (Marquis of Downshire)
Huntingdon
Fortescue
Burlington
Thanet
Minto
Essex
Onslow
Cawdor
Camperdown
Lichfield
Carlisle
Pomfret
VISCOUNTS
Lake
Granville
Falkland
BARONS
Granard (Earl of Granard)
Dunmore (Earl of Dunmore)
Clinton
Vernon
Ponsonby (Earl of Besborough)
Alvanley
Dormer
Boyle (Earl of Cork)
Ranfurly (Earl of Ranfurly)
Yarborough
Crewe
Sherborne
Ludlow (Earl of Ludlow)
Dunally
De Clifford
Stafford
Erskine
Ducie
Rossie (Lord Kinnaird)
Byron
Gardner
Kenlis (Marquis of Headfort)
Glenlyon
Clifford (of Chudleigh)
Sondes
Hawke
Mostyn
Poltimore
De Saumarez
Cloncurry
Kilmarnock (Earl of Erroll)
Templemore
Lyttelton
BISHOP
Norwich

List of CONTENTS.

PEERS PRESENT, 60.

His Royal Highness the Duke of Gloucester
DUKE
Wellington
MARQUISES
Bute
Thomond
Abercorn
Cholmondeley
Salisbury
EARLS
Wicklow
Vane (Marquis of Londonderry)
Limerick
Eldon
Falmouth
Bathurst
Delawarr
Jersey
Rossyln
Howe
Selkirk
Bradford
Brownlow
Digby
Westmorland
Chichester
St. Germain's
Verulam
VISCOUNTS
Beresford
Lorton
Gordon (Earl of Aberdeen)
BARONS
Montagu
Wynford
Meldrum (Earl of Aboyne)
Bexley
Clanbrassil (Earl of Roden)
Wallace
Colville
Clanwilliam (Earl of Clanwilliam)
Kenyon
Saltoun
Carrington
Redesdale
Skelmersdale
Ellenborough
Tenterden
Maryborough
Harris
Manners
Penshurst (Viscount Strangford)
ARCHBISHOPS
Canterbury
Armagh
BISHOPS
Llandaff
Rochester
Bath and Wells
Exeter
Bristol
Bangor
Chester
Lichfield
Carlisle
London
Lincoln

PROXIES, 27.

DUKE
Northumberland
MARQUISSES
Ailesbury
Exeter
Hertford
EARLS
Morton
Dartmouth
Chesterfield
Wilton
Norwich (Duke of Gordon)
Home
Carrick
Mayo
Clancarty
VISCOUNTS
Hereford
Exmouth
Doneraile
BARONS
Stowell
Bagot
Prudhoe
Lauderdale (Earl of Lauderdale)
Churchill
Saltersford (Earl of Courtown)
Forbes
Loftus (Marquis of Ely)
Gray
BISHOPS
St. Asaph
Clogher

* * *

HOUSE OF COMMONS,

Thursday, March 22, 1832.

MINUTES.] Petitions presented. By Mr. CHARLES DUNDAS, from the Agriculturists in the vicinity of Newbury in favour of the Remedies against the Hundred Bill; and from the Inhabitants of Newbury and Hungerford, for the Repeal of the Malt Duty.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — THIRD READING — ADJOURNED DEBATE — THIRD DAY.] The Order of the Day for resuming the Debate on the Third Reading of the Reform of Parliament (England) Bill, having been moved by Lord John Russell, and put from the Chair,

Mr. *Cressett Pelham* said, he felt it his duty to continue to give the Bill his most strenuous opposition; he was ready to admit that no measure had ever been brought into that House of greater importance, or which tended more to affect both the present and future state of the country. He had accordingly paid the greatest attention to all the arguments which had been urged in favour of it, but he had not been convinced by any of them that such a measure was necessary. In point of fact the whole of what had been said upon the subject amounted to this, that the Bill was one required by the people, and therefore that it must be passed. There were two arguments in the speech of the Attorney General on the former evening to which he, as an independent Member of Parliament could not give his assent. One of these arguments was, that it did not become them to interfere with the concerns of the other House of Parliament. Now, he certainly would be one of the last to think of infringing the rights of any other body of men; but he, nevertheless, could not help considering that, under the circumstances in which they were then placed, the decision that awaited this measure in the House of Lords was one of the main points to which they had to turn their attention. This was the second time they were about to send this Bill to another branch of the Legislature, which branch had already solemnly declared, that it could not agree in its principle. He, therefore, said, that so far as they had any right to know what the sentiments of that House were, that they would continue to oppose the Bill and thereby preserve the Constitution of the country. He would further add, notwithstanding the observations that had been made by some hon. Members who had treated the decision of the House of Lords as a severe offence, that in his opinion they had acted with wisdom and firmness, and he hoped they would continue to pursue the same course, undaunted by the invectives and threats that were held out to them. The hon. and learned Gentleman had also brought it as a charge against the Members who opposed the Bill, that they did not by their arguments appear to have given much attention to the details of the Bill. This statement had appeared the more extraordinary to him (Mr. Cressett Pelham), because he had always thought that one of the great complaints alleged against those who opposed the measure was, that they had wasted too much time in discussing the details of the Bill; and he was, therefore, extremely happy to hear the hon. and learned Gentleman give his testimony to the contrary. In the course of these discussions, hon. Gentlemen had incidentally gone into the state of the nation; he did not, however, deem it necessary to pursue the line of argument that they had thus laid down; this much, however, he would take upon himself to say, that it was his firm belief that such real distresses as the people were labouring under would in nowise be relieved by the passing of this Bill; the assertion to the contrary being nothing more than mere idle declamation, for the purpose of catching the discontented and the lovers of innovation. On the one side, procrastination had been complained of; and on the other, precipitation; but in his opinion, the purification of that House—or, at least such purification as it needed—would be better effected by affording time for a more deliberate judgment, than by the hasty course which they were at present pursuing.

Mr. *John Stanley* felt that much of the difficulty that used to encompass this question was now removed from consideration; for, as heretofore, the two great grounds of opposition to any measure of such a character had been, first, the inexpediency of any Reform; and, secondly, the indifference of the people of England to the consideration of the question. Of these two which proved the groundwork and corner-stone of all Mr. Canning's arguments, the first was no longer contended for by any Member of that House, except, perhaps, the hon. member for the University of Oxford; and, with regard to the second, the fear of Gentlemen opposite now was, only, that the people of England might force the Legislature to go too far in the career of alteration. The question, then, at the present moment, resolved itself merely into one of degree, and it remained only to consider the extent of the change that was necessary, and the adequacy of the present Bill to carry into effect the objects that Reformers had in view. Was the present measure calculated to satisfy the just expectations of the wealth, numbers, and intelligence of the country? The demand for Reform was not a mere passing desire, engendered by the late events in Paris and in Belgium, but a deep-rooted feeling, which had long prevailed against the errors in the constitution of that House. To this result the people in general were brought by the combined observation of almost all the greatest Statesmen of the present and of the last century. When he mentioned the names of Brougham, Grey, Fox, and Pitt, and that greater man, his father, Lord Chatham; he thought it must be allowed that he had named the highest authorities amongst the Statesmen of modern date. But, before their time, that distinguished Statesman, Lord Bolingbroke, had clearly pointed out, with the keen perception and clearness of sagacity for which he was distinguished, the evils that were to be dreaded from the constitution of the House of Commons. That acute philosopher observed, that

> "The Government by influence, has succeeded the Government by prerogative; the danger from the latter is a mere chimera; whereas the former is a new and undefinite monster, far more dangerous to our liberties, and producing as its natural consequences, national corruption."

That assertion was found repeatedly expressed in the works of that great man, with the opinion that the only remedy was to be found in a Reform of Parliament, and the destruction of that system of which he so wisely foresaw the disasterous effects. In substituting the Government by influence, in the place of the Government by prerogative, the Sovereign lost the power of destroying the liberties of the people; but what the Sovereign lost, the oligarchy, not the people, gained; and so long as a few individuals possessed the exclusive power of controlling the Government of the country, so long had it been found necessary to allow the baleful effects of a Government by influence to hold undisputed sway, and produce its natural consequence—national corruption, insinuating itself into the State, destroying the high feelings of honour and self-esteem, that could alone make an aristocracy respected and esteemed, and tending to reduce them to that state in which the degraded *noblesse* of France was found at the Revolution, entailing on themselves, by their own worthlessness, one-half of the atrocities of that fearful period. If even these were all the evils that resulted from the Government by influence, it would make out a sufficient ground for change; but before he proceeded to state the additional evils inherent in the system, he wished to say a few words with regard to some of the accusations and taunts with which the advocates of the Bill had been assailed by their opponents, for supporting a measure which contained anomalies and theoretical absurdities. This charge might have been a legitimate ground of accusation, if the complaint had only been of theoretical anomalies, and the only object theoretical perfection. He for one was ready to admit, that if he saw no practical evils to be remedied, he would agree with hon. Gentlemen opposite, that it would be better to let things remain, than risk the hazard of a change, merely because some apparent anomalies offended the nice perception of theoretical propriety in the mind of a reforming critic. But if he considered Reform as a means, not as an end, if he desired a practical remedy for practical evils, he would not care to scrutinize too closely any petty anomalies or incongruities which might, indeed, perchance injure the beauty of its outward form, but could not affect the great principles of the Bill, or injure the efficiency of its action. A perfect piece of theoretical legislative mechanism, might, indeed, have been easily framed by a departmental division and uniform right of voting; but the preamble of the Bill declared this neither to be its object, nor the end it had in view: its object was to retain as much of what was old as was compatible with the efficient execution of Reform, and not to abolish any institution which expediency and justice did not imperiously demand. The accusations of the other side seemed to be singularly inappropriate, as they amounted to this, that the Ministers had done too little, not that they had done too much, that they had left Tavistock and Malton, Newark, and Stamford, with two Members, and given Huddersfield and Dudley, Salford and Tynemouth, but one each—in short, that they had left too much influence to property, and retained too much of what was old and established. There might be some truth in that. They had conceded much through prudence to their opponents, which otherwise they might have more consistently withheld. In spite, however, of the page in the Journals of that House, which the right hon. ex-Secretary for the Admiralty, flattered himself would be more frequently referred to than any other in its annals, he thought the country and posterity would refer to it only to wonder at the trifling grounds, the pitifulness of petty details, and the absence of all sufficient reasons, that governed the hon. Gentlemen opposite in their opposition to this great measure. Posterity would say, "What are these trivial incongruities in comparison with the great object in view?—what matters it whether Appleby is lost, or Westbury saved?" How could these affect the great bearings of the question? these were of importance only, as they affected the individuals connected with these places. The great principle, the great end was attained. They would have the reality, no longer the mockery, of a Representation. Which of the objects proposed in the preamble had not been fully executed?—had inconsiderable places been deprived of their right of returning Members?—had populous and wealthy towns been enfranchised?—had the number of the Knights of the shire been increased?—had the elective franchise been extended?—would the expense of elections be diminished?—which of these things was not fully and satisfactorily done?—the pledge had been nobly redeemed. His wish for Reform proceeded from no theoretical objections, but from a strong conviction of the practical evils resulting from the close boroughs. Those boroughs, which Reformers considered as blemishes and foul stains upon the fair face of the Constitution, their opponents looked upon as the ornaments and support, nay, even the life-blood of its existence, and the grand secret by which alone a Monarchy and a Representative Government could be made compatible. In short, the opponents of Reform thought that the only way of reconciling the two forms of Government, was to delude the people, by making them believe that they were governed by their Representatives, when, in reality, they were only ruled for the convenience, and at the dictation, of a narrow and selfish oligarchy. If, as the hon. Members opposite said, the advantages of these boroughs were so great, and, as the Reformers said, the evils were so grievous, it would be well to examine the part they had played in history. Had they not enabled Ministers to continue wars, impolitic in their origin, disgraceful in their prosecution, and humiliating in their conclusion, long after the country had been anxious to put an end to them? Had they not enabled a Minister to be indifferent to the voice of the people, as expressed by their real Representatives, by means of the majorities that the borough Members always secured to him? Had they not enabled a Minister to adopt the severest measures of coercion and oppression, engendering hostility and alienation? If they had done all this, he thought it must be allowed, that a House of Commons, so constituted, at least, did not represent the wants and wishes of the country, and was not in sympathy and union with the governed. But did they not, in addition to all this, find these same boroughs, on every occasion, when the country, goaded by distress, occasioned by wanton and unnecessary taxation, had called aloud for economy, retrenchment, and relief—on the side of the lavish Minister of the day, enabling him to refuse the repeated prayers of a suffering people, or throwing their disgraceful cloak over his defeated extravagance? The reasons for these evils were not difficult to detect; the government of compromise which necessarily ensued from the possession of such enormous and irresponsible power by a few individuals, forced a Minister, as Mr. Pitt feelingly said, to be a dishonest man; who, in exchange for the support he received from this oligarchy, must repay them for their services by places, power, pensions, and emoluments, for themselves and their dependents, without reference to any merit or fitness in the individuals, except the one thing needful, of borough property. Why else was it, that the Government of this country, though in name controlled by the people through their nominal Representatives, in the expenditure of their money, should have been more lavish and extravagant than the darkest despotisms of the continent? It had been alone for the benefit of that party who had usurped all power, who had rendered the Sovereign the mere steward to the oligarchy of the people's money, and deprived alike the people and their King of their legitimate and ancient rights. But, then, the advocates and Members for such boroughs claimed exclusive loyalty, and it would be worth while to observe the grounds on which that claim rested. If they were examined with attention, it would be seen that their regard for Kings and Monarchy only endured as long as their Sovereign was their tool, and as long as they might be the Mayors of the palace, and the Crown a puppet in their exclusive hands. He would, with permission of the House, read a very short extract from the principal organ of their faith, as a proof of the extent of the loyalty of that party, who accuse their opponents of hostility to the Crown, and advocacy of republican institutions. In the last Quarterly Review, after having discussed the conduct of the King and the Government on the occasion of the late dissolution of Parliament, and their subsequent conduct, the reviewer went on to say,

> "Having witnessed an instance in which the King has been the chief innovator of the realm, and having thrown into the wrong scale all the weight that should have been a counterbalance, they (*i. e.* the Tories) begin, as their ancestors did in 1648, to discuss the theoretic uses of kingship."

If, then, all these consequences resulted from the existence of the close boroughs, it was plain that they had been injurious to the interests of the people, inasmuch as there had been an interest in the State paramount to, and at variance with, the interests of the country at large. It was also plain, that there had been a want of sympathy and union between the governed and the governors, which must have been gradually alienating the affections of the people from their rulers, and causing them to look upon those who ought to be their protectors as their enemies and their oppressors. Hence it was, from this want of unison of feeling between the rulers and the ruled, that every one had heard the astonishment expressed by foreigners at the difference between the public policy of our Government in our foreign relations, and the feelings and opinions of individual Englishmen, as expressed on every occasion. With whom had the principles and practice of our foreign policy hitherto been identified?—With a Metternich, a Nicholas, and a Ferdinand. With whom our feelings and our vows?—With the suffering Italian, the struggling Pole, and the exiled Spaniard. What, then, was the remedy for all these evils? The answer seemed to be plain — to destroy irresponsible power, which was tyranny, and to make it responsible, which was good government—to restore sympathy between the governors and the governed, and to reform the system, so as to place it on the broad basis of Representation, and the affections and interests of the people, and this it was which his Majesty's Ministers had wisely, ably, and boldly attempted, and, in the words of Lord Chatham, had infused new vigour into the veins of the Constitution, to enable it the better to bear with its infirmities. No fallacy seemed so great as that which would infer the duration of a social system from the length of time that it had already endured; as well might one infer that an old man of seventy was more likely to live than the youth of twenty. But political constitutions might be renovated, though, without timely alterations, they, as sure as all other human things, would fall into decrepitude and decay; and those who wisely read in the altered circumstances of the times the increasing wants and wishes of the country, might, by adapting the Constitution to the exigencies of the times, preserve inviolate all that was held most dear, while they remedied the evils which blindness alone refused to observe; and he would ask, who was the greatest friend to the Constitution, he who would preserve its errors with its virtues, or he who would preserve its virtues, but discard its errors? Before he concluded, he wished to make one or two observations on what fell from the hon. Baronet (the Member for Okehampton) on presenting a petition from the county of Chester. He triumphantly adduced it as a proof of re-action, and decisive of the state of the real feelings of that county, though it rather ought to be considered as a proof that no reaction had taken place, for not one additional name was to be found in that petition than was to be met with at the late election for the county, when all those gentlemen—respectable he admitted them to be—in vain contributed the utmost exertions which their high character, great influence, and hereditary connexions, enabled them to use for the purpose of defeating the Reform candidates, and preventing the triumphant success of the great cause in which the Reformers were embarked. It always had struck him, that the adducing these county declarations was fallacious as a proof of the state of opinion in a county, and most impolitic and injurious to the gentlemen who so triumphantly put them forward. What was it but saying, that, with all the nobles and all the clergy on one side, with all that influence which old associations, constant residence, mutual interchange of kind offices, wealth and power, could give, they had failed in their attempts to resist the mighty torrent of public opinion. They showed at once their impotence, and yet their will to strike. Was it wise in them to hold themselves up as a separate party in the State, apart from the great body of their countrymen, as an isolated band, with different feelings and different interests, and struggling for different ends? Let them remember, that, if they seemed to act for their own separate purposes, exclusive privilege, and private ends, the country might ask, whether, if successful, they might not be a body whose existence as a separate caste, was incompatible with the best interests and honour of the State. That this or any other human measure was final, who could say? All that one could say was, that it effected the object the present Reformers had in view; and, if it should not suit the circumstances of future times, it would surely be ridiculous to bind posterity to the forms which, though adapted to the present times, might be as much at variance with future interests and future wants, as the present system is to the present times. Till they were perfect, or till human society stood still, succeeding generations would demand and obtain further alterations to meet the altered circumstances of their condition, and the novelty of their wants. That House ought to be satisfied with legislating for the present generation, without being shackled by the fetters of the past, or embarrassed by anticipations of the future.

Mr. *Charles Stewart* had listened with the deepest attention to the arguments adduced by the supporters of the Bill, and they had failed in convincing his mind that the House of Commons proposed to be constituted, was likely to prove more beneficial to the community than the present House of Commons; that it was likely to enact better laws—to enforce a more rigid control over the public expenditure, consistently with national faith, or to maintain more permanently the rights and liberties of the people of England. This appeared to him to be the real object of investigation; and in forming a decision upon this question, it would be necessary to bear in mind the difference between Parliaments of late years, whose acts and deliberations had been influenced by a free and enlightened Press, and those of former times. The accusations brought against the House were more suited to the corrupt times of Sir Robert Walpole than to the present age; and it behoved them, at least, not to add to public prejudice and error. If they looked back to the history of our country, and traced the rise and progress of Parliament—its slow yet steady acquisitions of liberty in the earliest times—its struggles at later periods with despotic power—and, finally, its success in settling and consolidating our institutions, we should indeed pause before we altered so completely the Constitution of that body to which the country owed such inestimable advantages. The richest and the poorest man in the State had an equal interest in the permanence of these institutions, and in the stability of the Government. If he thought the people would be happier under the new Constitution — that their comforts would be increased or their sufferings diminished, he should vote for the adoption of this measure; but he knew that their permanent interests were bound up in the prosperity of the higher orders, and that that prosperity could only be secured by a strong and powerful Government—protecting on the one hand the possessions of the rich, and encouraging on the other the accumulation of property in the lower ranks of society. But this Bill, instead of strengthening the Government, already too weak, added power to a party in the State opposed to all property. There was a current under the surface of society setting in strongly against the old institutions of Europe—against its monarchies, its privileges, its religion; and the Legislature ought indeed to beware of adding to its force, lest it should accelerate the ruin of those institutions under which this country had so long flourished. To the present Constitution of Parliament, with some trivial changes we were indebted for the possession of nearly all our liberties. We owe to it the curtailment of the excessive prerogatives of the Crown — the abolition of monopolies and of benevolences—of the Star Chamber—and of the power of taxing the people without their own consent signified through Parliament. We owe to it the Petition of Right; and finally, at the great Revolution the placing of our liberties upon that firm and solid basis which nothing but the imprudence of the Legislature could overturn. The House of Commons was accused of not having kept pace with the intelligence of the times, of not having adapted itself to those changes which had been brought about in the feelings of the country. Now he contended that the House of Commons, from the time of its modelling in the reign of the first Edward, had been in advance of its age; that the laws by which this country has been governed had been progressively improving; and that many acts, which appeared to us now merely those of common humanity and justice, were, when enacted, totally repugnant to the wishes and feelings of the people. From the time of the first dawn of sound legislation in this country down to the great measure of Catholic Emancipation he scarcely knew of one single measure of enlightened policy, with the exception of the abolition of the slave trade, that received, when enacted, the consent and approbation of the body of the people; and, even now, he asked if that measure of emancipation was popular with the people, or if they had given their consent to the new doctrines of free trade and political economy? But if the supporters of the Bill would not demonstrate the advantages likely to be derived from the new Constitution of Parliament, he was anxious to point out what he conceived to be its dangers. In the first place, it unsettled completely the relative weight of the different interests represented in that House; it took from the land that power which it had so long and so properly possessed, and gave the preponderance to the commercial and manufacturing interests; and why did he desire to protect the interests of the landed proprietors? Because they enabled us to retain our faith with the public creditor—because they were the best and most legitimate consumers of our manufactures, and because they bore nearly all the burthens of the Church and supported almost exclusively the poor. But the great object of the Bill was, to give Representatives to the large commercial and manufacturing interests which had grown up of late years in this country; but even this object, he feared, would not be accomplished, in consequence of the low rate of franchise fixed upon by the framers of the Bill. He believed that in Manchester, Leeds, Birmingham, and the other great towns, Representatives would be chosen totally unconnected with the trade in those places. He believed that the master manufacturers would have little or no control over their workmen, and that Members would be returned to this House of the most dangerous and revolutionary principles. He must state, that this was not merely his own conviction it was the conviction of persons of the greatest experience whom he had consulted, and who, from the operation of local Acts of Parliament, were enabled to predict the probable working of this measure in the great and populous towns. He believed, that at the first election for a Reformed Parliament, the Vote by Ballot and Universal Suffrage would be clamoured for by those classes to which by this Bill was given the possession of political power. He believed they would demand the abolition of the Corn-laws—an equitable adjustment of the National Debt, and the destruction of Church property; but the excited appetite of the people would not be restrained here—and the abolition of the hereditary Peerage and the downfall of the monarchy would sooner or later, follow the adoption of this ill-fated measure. But let them look to the Acts of a reforming Parliament, such as the one he had attempted to describe. Let them look, for instance, at the Acts of the long Parliament, which, whatever great names it may have contained, disgraced itself by a most atrocious system of spoliation and plunder, notwithstanding the self-denying ordinance. He would quote to the House a few instances of the spoils divided among the Members of this goodly Parliament. John Bradshaw, one of its most noted Members, obtained for his share of the spoil, the Earl of St. Albans' Manor of Summer Hill, in Kent, worth 1,500*l.* per annum; the Lord Collington's estate of Fonthill, in Wiltshire; his Manor of Hanworth, in Middlesex; and the Dean's house, at the College of Westminster. John Blakestone obtained 14,000*l.*, and 3,000*l.* were afterwards given him out of the Marquis of Newcastle and Lord Widrington's estates, in compensation of the loss of the pedlar's ware in his shop. Colonel Brereton had the sequestration of Cashiobery and the other lands of Lord Capel, worth 2,000*l.* per annum; also the Archbishop's house and lands at Croydon, where (my authority states) he turned the chapel into a kitchen—a goodly reformation, and fitted to his stomach as well as his religion. Fleetwood got Woodstock. William Pierrepoint got 7,000*l.* in money, and Lord Kingston's estate, worth 10,000*l.*; Sir Henry Vane obtained 5,000*l.*, and the Bishop of Durham's manor, park, and demesne of Evenwood; Sir T. Walsingham got the Earl of Dorset's manor of Eltham, also Mr. White's house and park, where he cut down 5,000*l.* worth of timber trees, and scarcely left (as the writer stated) one single tree to make his own gibbet. Sir John Trevor got 9,000*l.* out of the Marquis of Winchester's estate, besides Richmond Park and grounds, and the great park at Nonsuch. He would only trouble the House with one more case—that of Serjeant Wylde (for there was a Serjeant Wylde in those days)—he got 1,000*l.* out of the Privy Purse of Derby house, after the hanging of Captain Burley; and it is also affirmed that he had 1,000*l.* more upon the acquittal of Major Rolph; so that it was all one to the Serjeant whether he hanged or hanged not. And did the House really imagine that these things would not occur again? Did they imagine that the possession of the Abbey lands of Woburn and Tavistock—the demesnes of Raby or Chatsworth—were fixed upon such an immutable basis, that no spoliation could reach them? Our descendants would point to this Parliament as having been the first to shake the foundations of property—as having been the first to violate, in later and more civilized times, the rights of the Church, and the sanctity of charters, and of having thus opened an inroad to those revolutionary tenets which would, sooner or later, lay all our ancient institutions in ruins. But what would be the effect of this measure upon the House of Peers? By infusing so great a democratic power into this House they would paralyze the influence of the other branches of the Legislature. If the people were the only source of legitimate power, the Bill certainly would create a House drawn from its purest springs. But the House, so created would be unconnected in sympathy, in feeling, and in interest, with the House of Peers; for that body would represent the interest of the land, and this House would, he feared, too much and too exclusively represent the commerce and the manufactures of the country. The first collision between the two Houses of Parliament would prove fatal to the Peers, for no power they possessed could resist a House of Commons purely reflecting the wayward passions of the people. He earnestly hoped this fatal result would be prevented; he hoped that this last retreat of the chivalry of the country would be preserved; of that feeling which in all times of our history had filled the ranks of the Aristocracy of this country with the most devoted, the most generous spirits; and many of whom were now, from a false and mistaken notion of honour, sacrificing their own interests, and those of their country, to that insatiate spirit of democracy which was withering the best energies of the country. He trusted, indeed, he felt convinced, that the Peers of England would do their duty. He felt that that body, which had not been called together in a moment of political excitement, but which reflected the successive destinies of a great and mighty people, would continue to preserve the Constitution of England from the assaults of those who sought for its destruction, reckless of the institutions they demolished, of the altars they overturned, or of the real liberties and happiness of the country which they trampled upon and destroyed.

Mr. *Rigby Wason* said, he wished that the hon. Member who had just sat down, had informed the House by what means the calamities which he foreboded from the passing of the Bill could be averted. The hon. Member had assumed, in common with several other hon. Members, who took the same line of argument, as a proposition not to be disputed, that if the Bill then before the House ever became law, the Crown, Peerage, and Church, would be overthrown. Without presuming to question the sincerity of these fears, it was surely necessary to examine the causes which were to produce such mighty effects. Before the hon. Member could fully state that the result of the measure would be to overthrow the Church, the Peerage, and the Monarchy, he must prove that the people of England desired the destruction of these institutions, or otherwise he was arguing that an end would be produced without means. If, as he, (Mr. Wason) contended, the people of England were not desirous of overthrowing the Church, the Peerage, and the Sovereign, what was there in this Bill itself calculated to produce such disastrous effects? Hon. Gentlemen said, that, in future Parliaments, the Members would too faithfully represent the wishes and feelings of the people: if, then, these Representatives should overturn the Crown, the Peerage, and the Church, nothing could be more clear than that the desire of the people, whose wishes and feelings they represented was, that these institutions should no longer exist. This Bill did not create such a desire, although it certainly gave to the people increased power to effect those desires, if they possess them, in a peaceable manner, and without bloodshed. Would hon. Gentlemen opposite deny that if the people of this country desired a revolution, it was not infinitely preferable that such a revolution should be effected within these walls, rather than out of doors by the people themselves. Who was there who would not rather see a change effected in our institutions, in the spirit of the English revolution of 1688, rather than in that of the French revolution of 1793? But all the fears of hon. Gentlemen were without foundation; they assumed that it was the desire of the people of England to overturn the Church, the Peerage, and the Crown; he believed they were sincerely attached to these institutions; and they could not, in his opinion, show a better proof of the sincerity of that attachment than an earnest desire to sweep away the abuses which defaced them. The noble Lord, who opened the debate on this occasion, introduced his observations by stating, that the question was not between this Bill and no Reform, but between this Bill and a moderate Reform. The people of England and their Representatives, however, perfectly understood their position with regard to the question. They well knew it was between this Bill and no Reform—between a substance and a shadow; and they preferred clinging with tenacity to the substance rather than bewilder themselves by pursuing that shadow, with which hon. Gentlemen opposite had, for the last twelve months, been amusing themselves and attempting to delude the people. The hon. Baronet, the member for Oxford, truly stated, that Government was not an end, but a means; and he declared the end of Government to be the protection of life, liberty, and property: in this definition he was followed by the hon. and learned member for Rye, who desired nothing from Government but protection to life and property. He could not agree in the definition given by these hon. Gentlemen. The end of good Government was the happiness of the people. Could the present system stand this test? Was the population happy and contented? Were the agricultural labourers in a state of happiness? They had already answered the question by conflagration. Were the manufacturers? let the hon. member for Aldborough, an anti-Reformer, answer for them. Within the last few days, he had harrowed up the feelings of hon. Members by detailing the wretched condition of this part of our population. Could the House forget that, on that occasion, they decided they could not, without referring the point to a Committee up-stairs, pass a Bill to prevent female infants under ten years old being compelled to work twelve and fourteen hours a day. The end of Government, then, had not been answered to promote the happiness of the million, although it might have protected the lives and property of the few; and this constituted one of the just complaints of the people. They asserted that the Members of that House, who ought to represent them, and be careful of their interests, thought only of themselves, and the class to which they belonged. If those were secured in the enjoyment of life and property, he, who by courtesy was called the Representative of the people, considered that the end of good government had been attained, although thousands were daily experiencing the severest distress. There was not one of the multifarious interests of the kingdom which was not suffering from a depreciation of their property: the agricultural, the manufacturing, the commercial, and the colonial, were all in a sinking state. The borough-proprietor alone, had flourished even to the third and fourth generation. Could it, then, be a matter of astonishment, that the people should desire to possess some portion of that power which they saw had been attended with such beneficial effects to its present possessors? He should vote most cheerfully for the third reading of the Bill, although he had sought unsuccessfully to introduce some amendments into its details, because he wished it to be forwaded to the other branch of the Legislature as complete as possible, and he had therefore endeavoured in the Committee to introduce alterations which, although they might not cure all the anomalies within it, yet would prevent its possessing any at variance with its own general principles. He had failed in several instances but Ministers by granting at the last moment, a member to Merthyr Tydvil, had sanctioned in one case the correctness of his opposition. He still considered it most unjust that Gateshead should be separated from Newcastle, and have a Member of its own, while so many more important places were without Representatives or attached to adjacent towns. But he never for a moment forgot that if the Bill had this defect, it had also the much greater merit of enfranchising Manchester, Leeds, Birmingham, and Sheffield; and if it was contrary to the principles of the Bill, to deprive Helston of a Member, it was according to it that Old Sarum and

Gatton were disfranchised, along with many other nests of bribery and corruption. He would conclude by thanking the Government for the firmness with which it had conducted this great measure to its present stage.

Mr. *O'Connor:* The House may be assured that I shall not trespass long on its indulgence. Both argument and illustration have been so recently exhausted in the discussion of this question, that I feel, were I to intrude at any length, I could at best only be the feeble echo of the opinions of others; for I might well shrink from the temerity of adducing observations that had not already suggested themselves to the discernment and adoption of abilities and judgment infinitely superior to mine. Besides, at this momentous crisis, when the expectation of the nation is again brightening into hope, but is still tinged with some slight shade of fearful uncertainty, I feel that every moment that is consumed in unnecessary debate tends but to prolong the miseries of that suspense which now paralyses the best energies of the country. Impressed with these convictions, I should have observed that silence which the magnitude and the urgency of the present question ought to impose on my inability to do it justice, or to accelerate its progress, were it not for the frequent allusions that have been made to Ireland in the course of the debate by hon. Members on the opposite side of the House. The noble Lord who introduced the Amendment, arraigned the Government for having altered the relative number of Members for England and Ireland, and stated, that they had thus only opened a wider field for agitation for my hon. and learned friend the member for Kerry. But if the alteration were consistent with justice, and that he could not question, they were bound to effect it, and the more justice they rendered to Ireland, the more they narrowed, rather than widened, the field of agitation in that country. Another hon. Member stated, that this alteration was unfortunate, by its having been the occasion of the progress of the Bill being impeded in the Committee by the Irish Members, who were occasionally claiming fo Ireland the Members that were assigned to different boroughs in England. Now this imputation against the Irish Members is most unfounded, for they had a meeting, at which it was debated whether they ought to oppose the present Reform Bill in any of its details, so as to produce vacancies in the English Representations to be filled up by Members for Ireland; and it was unanimously agreed upon by those Irish Members who were in the habit of supporting his Majesty's Ministers, that they would seek no additional Representatives at the expense of any of those places in this country which the Government deemed entitled to the privilege of sending Members to this House, and they also determined that they would support the whole of the English Bill, because the great question of Reform which it involved was one of such paramount importance as to supersede every other consideration in the intensity of its interest. That it has progressed considerably cannot be questioned, for the necessity of some Reform at last, is now universally conceded. It is even admitted by the noble Lord who moved the present Amendment. But had his Majesty's Government introduced, as he suggests that they should have done, a half-and-half measure of Reform, its discomfiture would have been immediate. It would not have enlisted the feeling of the people in its favour, and it would have been opposed by a most formidable coalition—by some who might be emulous of supplanting the present Ministry, by many who have an interest in the continuance of existing abuses, and by others who so venerate whatever bears upon it the impress of time, that even its ravages become hallowed in their opinion, and the slightest reparation was equal to a desecration of the whole. Government must have succumbed beneath the power of this combined opposition, if they had not conciliated the support by consulting the interests of the people and the nation at large. They had no alternative but to dare nobly and be just, standing or falling by the glorious experiment. But now that the people have been promised what they are convinced is their right, it is vain to expect that they will be satisfied with less. I will not say, that to frustrate their hopes would be to kindle their resentment, but a nation that extorted Magna Charta from a reluctant tyrant, in the infancy of its power, will not, in the plenitude of its maturity, abandon rights which the most benevolent Sovereign that ever sat on the British Throne is willing to concede to them. As futile would be the attempt to stay the Nile in the hour of its increase as now to arrest the diffusion of the popular feeling in favour of Reform. It will roll on in peaceful Majesty, if unopposed—the more expanded the more tranquil, and rich, I trust with future prosperity; but check, and you invest it with accumulated force, and may perhaps, arm it with ruin and desolation. Yet there are some insensible of its powers, and some who fain would stay it, until it attained the height of Universal Suffrage, and the highest gradation in the scale of radicalism, pretending that the present and the former Bill are but delusions, because they do not at once effect what they never promised to accomplish—the instant reduction of taxation, and repeal of corn duties, and cheapening of bread—because they do not legislate at once, instead of enabling the people to elect their legislators. A similar expedient was adopted to weaken the appeal of the Catholics for their Relief Bill. The people were told that it would neither lower their rents nor furnish them with food, nor liquidate the demands on them; and this House was assured that the people felt no concern in the promotion of a measure in which their individual interest were not involved. But neither were the people deceived, nor did they relax in their exertions; and this House had to pay attention to the voice of millions in their simultaneous demand for political justice. And are the people of England so much less intelligent as to be duped into the passive abandonment of one acknowledged advantage, because it does not involve other measures which it never contemplated? Will they not manifest the same buoyancy of hope and the same elasticity of exertion as the Irish nation in the pursuit of their political rights? Yes, and the Legislature will have to pay more immediate deference to wishes in which the three kingdoms participate; and therefore, notwithstanding the observations of the hon. Baronet (the member for Oakhampton) to the contrary, in reply to him, I would say, that, were this Bill unfortunately rejected in another place, another Bill, equally effective in all its provisions, must be introduced with all possible expedition to avert the consequences of that rejection. But, truly, Sir, I see no such cause of despondency in the number with which the late measure was defeated. I could almost wish it to have been something greater. I wish, instead of forty-one, it had been forty-five—that glorious majority which was so often toasted as the final defeat of the Catholic claims, and yet was but the herald of their victory. I trust the late majority may be followed by a smilar result. The great ability, and I will add, the manifest sincerity, in some instances, with which the Bill was opposed in another place, are the sources whence the best hopes may be derived that they who were its former opponents may now become its warmest supporters. They who reason well can best appreciate the arguments adduced against them. They who speak with sincerity are always the most accessible to conviction. How truly this was exemplified in the passing of another great question to which I have already alluded, I at least must ever retain in grateful recollection. There was an error in the then concession which may now be redeemed. Let this be the generous offering to magnanimity—to justice—not the reluctant tribute of fear to expediency. Let it precede necessity by being immediate, and thus preclude the possibility of danger. I wish not, in saying this, to use the language of intimidation, which has been so much deprecated by Gentlemen on the opposite side of the House. I am aware, too, that the use of it has been imputed to the supporters of this measure by its noble opponents ever since its rejection in another place. But, perhaps, these noble Personages might trace much of it to their own reflections. In the vicissitudes of life, and in the alternations of fortune, there is a still small voice that often whispers after the first moment of triumph —'such another victory, and we may be undone.'—This may be the monition of prudence, not of fear, in the present instance. But let this question be tried on its own merits, without the bias of fear, or interest, or prejudice, and truth and justice will prevail, and security ensue. The true friends of Reform are as solicitous for the maintenance of the just rights and privileges of the Peerage as for those of the people; and they are bound to preserve them by the admiration in which they must hold the British Constitution, based as it is on a principle of perfection that was long supposed to be beyond the reach of human attainment—the balance of power in the three Orders of the State. To restore, not to subvert it, is the object of the present Reform Bill—to purify the Representative system, and thus invigorate the State. And if, in making this restoration, the nation prefers, the most pure, and, if I may say, Doric simplicity for the basement of the Constitution, it cannot be questioned but such may still be the best foundation for all the glories of the most ornamented superstructure. Such is my hope and my wish. I, therefore cordially support the present Reform Bill, and unite with the hon. Members who preceded me in thanking the Government who conducted it to its present stage.

Sir *George Rose* spoke to the following effect:* I should have persevered in the silence which is habitual to me, had not a crisis so important in the affairs of the nation occurred, as to compel me to offer to the House some fruits of a long experience, at least in justification of my own conduct in opposing this Bill; although I have not a shadow of a hope of their producing an effect upon its supporters. I cannot in truth set myself "*rectus in curiâ*," like an hon. friend of mine on the preceding night, if, like him, I am to disavow all connexion with a borough: but I can safely aver that mine is such as would not in the least impede me in agreeing to any suitable measures, proposed for correcting abuses in borough transactions, such as I have always disapproved. My hon. constituents are bound to me by no tie but by that of disinterested good will: least of all by anything like pecuniary or lucrative considerations. And that station which is thus honourably and honestly given could never be, in my hands, or in those of him who preceded me, a matter of interest or gain; the boon which was freely received, was as freely given.

My main objection to the Bill is the violence and extent of its action: such a breach is made in the bulwarks of the Constitution as will let in, not the gradually rising and fertilizing stream—the Nile of the last speaker—but a torrent which will carry away whatever is held sacred, into ruin in its waves. I care little, therefore, about the provisions of this Bill; if it does not destroy enough, another within the year will do what is left undone; for this beginning is such a one as can never be stopped. And it was thus that Mr. Pitt was checked, as I know, in his progress of Parliamentary Reform, by never being able to fix in his mind a permanent basis, on which to place the new electoral franchise, or how to establish a security against future change.

In submitting my opinions to the House, I shall be anxious to lay before it views calmly formed in various habits of life, at home and abroad, and particularly in the King's diplomatic service, which I entered very nearly forty years ago, observing that cool tone which becomes best so very inconsiderable a speaker as myself: and avoiding carefully those criminations and recriminations so dear and delightful to us, which take up two-thirds of our debates, keep us out of the view of the subject, and provoke those yells and screams which I can never hear without pain—may I say—disgust? Great Britain is peculiarly circumstanced as to her foreign relations. We live in the midst of a commonwealth of nations, the complication of whose interests and relations to each other requires the most delicate and attentive management of them; and stability of engagements is essential to such a system, for the maintenance of the general peace. The popular nature of our Government already exposes us to inconvenience, from the effect of sudden changes of national feeling affecting our foreign policy. And, in that respect, the governments in which the regal power stands more prominent than it does in ours, have an advantage over us, not only as being less exposed to this action, the suddenness and power of which can never be foreseen, but because where the king actually represents the state, his personal honour and character stand far more immediately pledged in the eyes of the world, and before his brother sovereigns, for adherence to his engagements, than in a country where responsibility for it falls mainly upon the Ministers, who, moreover, may have come into power pledged to a change of system. In the last century, simply because the nation went mad about certain tenets held by a doctor of divinity, Lord Oxford and Lord Bolingbroke were able to break off all its alliances in the midst of a successful war, in which the Duke of Marlborough was on the point of reducing France to a situation compatible with the safety of Europe. Forfeiting friends, character, and consideration, and the reward of all the blood and treasure expended, the nation became the object of the derision of its enemies and the hatred of those who had been its devoted friends. Again, we got weary of our seven years' war, and, abandoning the king of Prussia, reaped the bitterest fruits of our inconstancy. From that time he shunned and hated us. France and Austria, allied in the war, remained closely united in the peace; and during the American war, the whole of Europe, Portugal excepted, was in open hostility, or full of secret enmity towards us. But if it is our doom that the waters of the straits of Calais should wash all foreign politics out of the head of the Englishman returning to his country, and, if separated as we are by the sea from the continent, and engaged with far greater eagerness in the immediate, and more personally attractive object of domestic party matters, how much more oblivious shall we be of foreign relations, and, therefore, ignorant of them—and how much more inconstant and vehement in our transitions—in a House of Commons composed as ours will be, where every Member will have a never-ceasing pressure of local interests and contentions on his mind, and where there will be no longer found a number of them less immediately acted upon by the starts of public opinion, and qualified and able to temper its first vehemence and fury? We shall be perpetually tiring our friends, and have to pay exorbitant penalties for our inconstancy and short-sightedness. We may buy new friends, which we shall always be able to do, at a ruinous price; but confidence cannot be bought.

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In another view of the effects of this measure to be produced beyond our own immediate limits, our colonies demand our most serious attention. After the very full information respecting them given by the hon. member for Middlesex, I should be guilty of an indiscretion if I entered into any details. Hitherto they have been virtually represented in this House, and it has been sometimes asserted that Bengal and Jamaica enjoyed but too extensive a Representation; and this advantage they will completely forfeit in the new House of Commons, through causes which will be afterwards stated. But surely the most unfortunate moment possible to destroy such a Representation is that in which, first, you are making an immense change in the Constitution, under an alleged sense of the claim of the home subjects of the empire to have a far fuller Representation than was ever dreamt of before; and, secondly, when those colonies have immensely increased their own claim to be represented, somehow or another at least, in Parliament. Consider how our colonies have risen in the scale of nations, either by increase of wealth and extent, or of the number of inhabitants, either British, or of British origin, or by the expansion and elevation of the minds of the people, by the acquisition of our literature, and of the knowledge of our institutions—causes producing astonishing effects amongst our subjects in India at this particular period, where, for instance, the effects of Irish pauperism upon England are discussed in Hindoo newspapers. We must remember that they are compelled to see their commerce made subordinate to our interests: and they themselves, without policy of their own, and submitting, of necessity, to follow ours, are engaged in our wars, often invaded and ravaged, and at times ceded to a foreign power, whilst the mother country has almost forgotten that it ever saw its own soil trodden by the foot of an enemy. Above a hundred millions of men must follow the will and the fate of a nation of some twenty-five millions, divided from them by immense oceans. It is true that the mother country is the body; but its transmarine possessions are the immense wings which have raised it to so enormous a height: and should they be disconnected from it, the fall would be proportionably fearful. Let us anxiously do whatsoever is most calculated to conciliate their feelings, and to promote their interests—warned by the fate of other nations, and even by our own, and most carefully avoiding whatever has an opposite tendency. But having said thus much, I am compelled to admit, that I can discover no means of removing the obstacles which exist to the grant of a direct Representation to the colonies, and I see in this effect of this so called Reform, one of its most evil and portentous consequences. What must be the nature of a measure which is the parent of eminent injustice, and extreme impolicy, neither of which it is possible to remedy? I should say that the present indirect Representation has a most beneficial effect, not at once obvious. The great danger of discontent in colonies arises from the ardent spirits of the most energetic and the boldest of the young; and justice and policy require that they should be enabled to find their way into the professions of the mother country; they will become as useful to it when admitted into them, as dangerous when excluded. Now their virtual Representatives are they who alone can usefully bring forward and support their claims, and this channel will unfortunately be closed.

If I could set aside the whole of the results, both of study and of speculations, upon things at a distance, I cannot shut my eyes to such as have been actually presented to them, and in the scene of action the most instructive to an Englishman; and I should not stand acquitted to my conscience, if I did not state some of them, however briefly, to the House. They were made during a special mission, with which I was charged to the government of the United States, whilst the Congress was sitting at Washington; and I was there during a considerable portion of that session; and I can the less mistrust my own judgment, because I found that three gentlemen who accompanied me, two of them at that time to the full as well qualified to observe as I am, both by their age, their education, their habits of life, and talents, arrived precisely at the same results as I did. Some of them were such as we were no wise prepared for; they were forced upon us; and so much of what was passing, referred to the relations of that nation with Great Britain, that we were, of necessity, anxious observers of that translantic parliament. And here I am anxious to guard myself against any expression of my opinions being construed as disadvantageous to that people of our descendants, in whom, as the heirs of our blood, our language, our laws and institutions, we are bound to honour ourselves. The power of these things cannot have been extinguished in a possession of fifty years, by a free people. I have always deplored the tone of disparagement of manners, and modes of living and thinking in the United States, with which so many of our modern writers of travels abound, and which tend to disunite two nations, whose union would confer incalculable advantages on the civilized world. It would, I own, lighten my mind of an immense load of care, generated by a state of things which presents itself to our view in other quarters. They are an enlightened and energetic people, to whom mighty destinies appear to be confided. For these reasons, and because I am grateful for the kindness I experienced there, even in a period of great excitement, I can affirm that I speak as dispassionately of their institutions as I should of our own. We have heard it asserted, that the choice of the whole House of Commons by popular election will procure to us one of a description superior to that which has hitherto sat within these walls——fitter Representatives of the intellect, energies, education, and virtues of the nation. On this point, my right hon. friend, the member for Tamworth, expressed his doubts, but did not insist on them, at not having an experience upon which he could reason; but, having that experience, I am compelled to put myself at issue upon it with the advocates for this Bill, and to express the astonishment with which we ascertained, notwithstanding some unequivocal exceptions, that the tone of the House of Representatives, members of society, was decidedly below that of the casually congregated society which we found at and near Washington—one which laboured under so many disadvantages, that, though very respectable in many points, it can in nowise compete with such as will be found in cities like New York, Boston, and Philadelphia. It is not, indeed, necessary to determine the exact positive merits of the society existing, for the statement is a relative one; that its tone was decidedly better than that of the generality of the then Members of the Lower House, whose mode of life, habits, and means of existence, if specified, would make this apparent at once. We found that all the books of travels had underrated the character of the society of the United States, on the one hand, and, on the other hand, over-rated that of the component parts of its House of Representatives. The far greater part of them never appeared in society. We understood that there were amongst them, whose numbers were not 150, three Irish weavers and a cutting-butcher; and the cause of this is not difficult to discern. When the Representation is effected by popular election alone, the body of the people will be easily put and kept in a state of perpetual agitation by men who will hunt them with flatteries and solicitations addressed to their most irritable passions. Each town will rival with the other in sending determined patriots; and amongst them, those will be the most persuasive, who exhort them not to confide their interest to men who, by birth, wealth, and education, are too much raised above them to be able to sympathise with them; but to choose men of their own class, who will best know both their wants, and the means of promoting their weal, and whose fate will be in their hands. I know that there are many, and not on the benches of this side of the House, who calculate that the larger the electoral bodies are—the more electors are sought from the lower classes of society—the more accessible they will be to such allurements as the rich can hold out; but I beg leave to tell them that they wholly miscalculate the result. It is very remarkable that, in general, by far the lowest class of men was sent as Representatives from the States where there was the most of hereditary landed property, and the best English blood; whilst the most select delegations were precisely from the States the most essentially democratic, those where the greatest equality in birth, fortune, and education prevailed. But if even we should console ourselves with the expectation that we should at least procure as our colleagues the leading tradesmen of the great towns, our Stultzes and our Hobys, I must request that this sanguine hope may be renounced. The trade of legislators would be too ruinous to them to be adopted; we shall have to content ourselves with men who will not have found in themselves the skill and industry to become eminent as tailors or shoemakers, but will have at least discovered that the trade of a patriot is a comparatively easy and profitable one, to any one who is so circumstanced. I may add that I am in no hurry to go upon a cruise to find a better commodity than the English gentleman, as he now is. We pretend to many points of superiority unjustly; we claim more to ourselves, and refuse more to others, than we should; but, after an acquaintance with foreign nations of nearly forty-six years, I can confidently state, that I have no where found elsewhere so great an extent of frank and straightforward integrity and good faith, and personal honour and firmness, as in the British gentry.

Another very detrimental result of universal popular election, is the exclusion of professional men, some lawyers excepted, and those seldom of great note, from the national Representation in the United States. As the democratic contagion spreads, pre-eminence of every sort becomes suspected, whether it be that of birth, of fortune, or of talent, education, or professional rank; and, moreover, the pursuit of popular favour will be so eager, and joined in by so many, that no man will have a chance of either acquiring or maintaining it, so as to carry his election, unless he cultivates and watches it on the spot with a degree of assiduity incompatible with the calls of a profession. And even when the Legislature is sitting, then he must devote himself to its business, not from day to day only, but from hour to hour, with a dedication of his time equally incompatible with a profession. On our first arrival at Washington, our astonishment was unspeakable at the anti-commercial tendency of many of the acts of the Legislature in the second commercial nation of the universe, and at the character of other enactments, which certainly would not have led us to suppose that they were proposed in the senate of a country, where the law is almost identically our own, and where, as here, it is a very liberal profession exercised by thousands. But our friends smiled at our ignorance in not knowing, that the great merchant could find no place in the Transatlantic parliament; that it contained not the eminent lawyers of the Union: and that officers of the army and navy were complete strangers to it. Not long before I was in America, a great, perhaps the greatest merchant in the commonwealth, a man of vast riches and unexceptionable character, aware that his very eminence was an effectual bar to his getting into the Congress, thought, at least, that he might be permitted to represent the city which was the seat of his immense traffic in the provincial states. An opponent, who had not arrived at the dignity of selling, but only at that of letting out horses, arose against him, and beat him out of the field. This evil is far less in the United States than it would be here. Surely it is not necessary to observe, how impotently a Legislature must act, without those sources of strength, and how blindly it must deliberate without those sources of light, the most eminent professional men of the country. But let us represent to ourselves our own Parliament so denuded, and consider the enormity of the sacrifice which we shall have to make, and the penalties we shall have to pay for it in every step of our proceedings, complicated and immense as are our revenue and expenditure, most important and extensive our manufacturing, commercial, and colonial interests.

The choice of the whole Representative body by popular election engenders also another great national evil. Whenever a particularly excited state of party feelings exists, its influence upon the elections will be universal and irresistible; it will wholly overwhelm all those who are obnoxious to it; and, amongst them, it will be precisely those whom it would be the most important to retain in the senate—the most eminent and conspicuous for their talents and virtues, who for that very reason will be the most carefully excluded; they will be the objects of universal jealousy and enmity. It was thus when I was at Washington, that every one of the most gifted and distinguished of the federal party—men who would have been ornaments of any legislature—were shut out of that of their country: and, as their only means of acting upon the public opinion, they were reduced to writing beautiful and argumentative essays in New York and Boston newspapers, which of course were read by their own party alone. And this effect would be particularly felt at a general election. The country was thus left destitute of the men the best qualified to enlighten the Legislature, to watch over and control the conduct of the Government, and who would be ready to be called to exercise its powers in an altered state of things. Now to estimate how this would affect us, we have but to consider what actually took place in 1807 in this country, when the Parliament was dissolved on Lord Grenville's government coming to an end, with a strong popular feeling prevailing against it. The result of the general election respecting those Members of the late Government who had sat for places of popular election was, that not one of them represented them in the new Parliament. Amongst the most conspicuous of these failures was that of Lord Henry Petty, who had been member for the university of Cambridge. I need not say that the loss of those eminent persons to the Legislature would have been a national and a severe one; but the close boroughs presented ports of refuge, of which they gladly availed themselves; and thus they at once appeared again in the ranks of their party as efficient Members of the Legislature in every respect, as they had been in the preceding parliament. There was a moment in 1784, when even Mr. Fox was glad to obtain a seat for a Scotch borough, greeted on the occasion by Mr. Pitt, who exclaimed,

> "Via prima salutis,
> Quod minime reris, Græcâ pandetur ab urbe."

This extinction of the very voice of the beaten party has an especial tendency to weaken and to degrade it, and to render the conquerors insolent and unreasonable. You lose, moreover, men who would keep in order weak and dangerous men who may happen to be in their party.

It behoves us to look to another effect of the whole Representative body being returned by popular election, in producing and fostering disunion between component parts of the empire, through the violence of the local feelings which will be put in motion and kept up, when the minds of the least educated and the least considerate of the population acquire a decided influence on our affairs. The demagogues who court the people, will always excite in them eager feelings as to local interests, as those to which they will be the most sensitive, which will be nearest to their hearts, and, moreover, be the easiest understood. Jealousies will be fomented between the towns of different manufactures; and then, between the manufacturing and agricultural districts, and then between them both and the commercial interests. Whoever has visited, or indeed read of the United States, must be aware, that these causes act there with a force and violence, threatening at times the existence of the Union, the dissolution of which is talked of with a coolness which astonishes a stranger; and whoever remembers the proceedings of the convention of Hartford, during our last war with the United States, and the effects produced by this war upon the Eastern States, with reference to their fellow States of the Union, will be able to estimate the extent of that which may be produced on the national interests here in similar instances. Do not let us be told that the United States contain more inflammable materials—greater seeds of internal discord—than Great Britain does. There, alas! we must claim no precedence of exemption; and, therefore, it is that those who advocate a dissolution of the union between Great Britain and Ireland, do very wisely in giving their best support to the Reform Bill. When all the causes of discord, which are now dormant, shall have ripened into maturity under universal popular Representation, they will reap rich and abundant fruits of their sagacity. When, in a debate in this House, an hon. member for Cork long ago suggested a dissolution of the Union as expedient, Mr. Canning exclaimed vehemently, "Dissolve the Union!

Restore the Heptarchy!" and, should those measures go hand in hand, then as democratic constitutions are suited to states almost universally in the inverse ratio of their extent and population, our new Constitution in due season may fit extremely well the kingdom of Sussex, or that of the East Angles, if by that day a fragment of it should be left in existence. But there is no case in which the presence of a number of Members not returned by popular election acts more beneficially than in obviating the mischief here contemplated, by their resisting and allaying the action of local and angry feelings, which explode to the detriment of the empire.

There is another gigantic evil, which appears to me to be a necessary consequence of this Bill, but which I shall merely glance at, as it has been ably and fully brought into view by an hon. friend of mine; I mean its effects upon the position of the Church. I speak with no unkindness whatever of those who stand opposed to it by very different degrees of divergence from, or opposition to, it on religious grounds; but the number of them who will now have political influence will be so immense as to leave it exposed to an extent of danger, of which that which has arisen in so formidable a shape to the Church of Ireland is but a foretaste. Those will be far keener eyes than mine which will be able to discern, some twenty years hence, the vane on Salisbury steeple, or the cross of St. Paul's, above the waves.

But, if we return to the domestic effects of this Bill, we find ourselves gravely assured of an admirable effect to be produced by the new system, inasmuch as we are told that the Members of the Reformed Parliament will be exposed to fewer solicitations on the part of their constituents, and will have fewer wherewith to embarrass the Government than we have. But, by what magic of the wand of the new Thaumaturgists are natural causes to cease to produce their invariable effects? Why should large bodies of men, very many of whom will be in the lower ranks of life, feel less urgency of circumstances than small bodies of richer men—why should they have fewer claims to urge, and bring them forward with less importunity? Now, in this matter, I have a long experience to state. It happened to me to represent for twenty-four years a town and county by popular election; I had a most respectable constituency; but yet, where every man who was supporting a Member who was himself supporting Government, had a fair right to seek his assistance in the furtherance of blameless pretensions—where no man could know what claims another was advancing, it was quite impossible but that I should at times feel a pressure of applications, which at times also bore upon the Government. I have had seven addressed to me within a very few days. Now, in fourteen years, in which I have represented Christchurch, it has not even had its own just and natural patronage. It was, in my absence, unjustly deprived of a revenue office vacant there; and for this I, after some years, obtained an indemnification; and one Christchurch man, not, however, the son of a burgess, nor recommended by one, has been sent as a common exciseman to Ireland. And this is the whole sum of its patronage in that time; whilst various strange revenue officers have been sent to Christchurch. Nor have I now, nor have I had for some years past, any application pending from any one of my constituents. I need scarcely say, that, in that whole time, not one favour was sought for of the Treasury, or conferred upon any one member of my own family. In truth, it is in proportion to the numbers and necessities of their constituents that the Members will be pressed forward on the Government, and in no predicament will a Member be put to a more embarrassing test of his principles than if he should be so circumstanced as to think it right to give a general support to a Government, but to abstain wholly from putting himself under obligations to it. It is of all positions the one which will be the least understood or sympathised with by those who have objects to attain; and few causes drive Members more into the arms of Government than the need of patronage to sustain popularity, so that the man really sacrifices his independence for the security of his re-election.

I shall, perhaps, not expose myself to censure, if I express myself very anxious to see my country maintain that high opinion for her wisdom which the various excellencies of her internal Government have conciliated to her. And I may be allowed to confess the embarrassment in which I should be placed, should any distinguished foreigner entreat me to consider how extreme is the difficulty of adapting a constitution to the wants, feelings, and circumstances of a people, and that it is an imprudence beyond a name to hazard any new and extensive experiments of change, and most especially in a very advanced state of civilization, we might, perhaps, say corruption of luxury in private, and of expediency in public, when men's minds are neither willing nor fit to receive new and great impressions, or to make extensive sacrifices, except under a proved and incontrovertible failure of your existing constitution. This is as true in the political, as it is in the human frame, which in advanced age, will not endure those trying operations, which might be most salutary in youth, but which, in the decline of life, are far too dangerous to be risked. Without looking back to the ages of our Edwards and our Henrys, but merely viewing the events of the present age, he will ask me, if the political constitution of any nation was ever subjected to a severer trial and proof than that which ours endured triumphantly in the memory of very many of those now present. He will remind me that, within the very last forty years, sedition, treason, mutiny, and rebellion assailed us at home, and that we had extensive warfare to sustain by sea and by land in every quarter of the world at the same moment; that almost every year brought us new enemies, or defections of allies, and we repeatedly stood alone against a power that triumphed repeatedly over the whole continent of Europe, with nearly the whole of it as her tributaries or allies; that, amidst the commotions and struggles of Europe, and the most fearful combinations formed against us, whilst all the great powers of the continent saw by turns, their capitals in the hands of their enemies, Great Britain alone escaped unscathed, and reaped a harvest of glory, of which her own soil bore no trace; and gave a proof, beyond all doubt, that her Constitution has, down to the present time, a power to endure, and a power to do, without a precedent. He will express the wonder and envy with which the continent beheld the gigantic exertions, the resources, and the untameable courage of the nation, and the strength and elasticity of the Constitution, on which this power so materially reposed. This foreigner will suppose the case of some British ship returning from the most distant seas, from the Ultima Thule of the southern hemisphere, and he will contend, that her crew, learning in the channel the fearful experiment we are engaged in, must believe that despair alone could drive us to such fearful risks. He will tell me, that they will continue their voyage under the gloomiest forebodings, and with the painful certainty that dreadful calamities must have forced us to so desperate a course. They will expect to find Portsmouth in the hands of the French, Gibraltar in those of the Spaniards, Canada subdued by the United States, and some barbarous flag floating on the walls of Fort William at Calcutta; but with what surprise will they behold the British standard aloft at Portsmouth, and learn that it floats on the King's bastion at Gibraltar, and on the walls of Quebec and Fort William; that the integrity of our territory is inviolate; that the nation is in the enjoyment of profound peace, that all the other powers are giving us friendly assurances, and that England has to contend with nothing but her own restless and discontented spirit—with that which is unsound in our own minds, and which leads us to seek, in an unknown and most uncertain futurity, destinies more magnificent than even those which Providence has wonderfully vouchsafed to us.

But there next arises a question, which will press more strongly on the mind of an Englishman than it can on that of even an enlightened foreigner. It has often been remarked, that our Constitution has successfully solved Aristotle's famous problem, whether it were possible to frame a government which, if established, would exhibit the perfection of human wisdom, in which the regal, aristocratic, and democratic powers should exist together in so nice a balance as to secure a perfect tranquillity in the machine, and, consequently, the greatest mass of human happiness to the subject. Where no such equilibrium exists, and any one of these three powers preponderates decidedly, an addition to it, as, for instance, to the despotism of the Grand Seignor, to the aristocracy of ancient Venice, or to the democracy of Geneva as it was, might not affect the well-being of the state materially. But with us, the whole safety and efficiency of the machine depend upon the maintenance of these established counterweights, just as if in an experiment of naval architecture no increase would be dreamt of in the tautness of the masts, or in the squareness of the yards, without an increase in the dimensions and size of the timbers of the hull, proportionate to that of weight and canvass above. I am, therefore, beyond measure, anxious to learn the legislative measures to be proposed to strengthen the authority and consideration of the Crown, and of the House of Peers, in some proportion to the immensely increased democratic power. It is true, that many noblemen have an influence in this House; though even that is anything but an increasing one; but the real question is between the two Houses of Parliament, and whether the influence of the House of Lords outweighs ours in the Constitution—which no one will assert, or whether it is an increasing one: now every one knows that it has been decidedly diminished.

There is a research of another nature, which I feel myself bound briefly to make. In proportion to the novelty and extent of an experiment which, in one way or another, must affect most deeply the well-being of his country, an inconsiderable person, summoned to take a part in it, is bound, in common prudence, and in the plainest duty, to weigh carefully the powers of insight into future results possessed by those who make this call upon his faith and acquiescence, in order to ascertain whether they are gifted with that sagacity which is one of the most indispensable qualities of statesmen, whether, in short, they rank amongst those second-sighted political seers to whom "the coming events cast their shadows before:" and if, on examination, it turns out that, as prophets, they have been uniformly and egregiously deficient, they cannot complain, either if I hesitate to follow their judgment, or if I should even venture to obey my own in preference, if it led me right, where theirs led them wrong. We have seen in our days, two great political experiments in action in this country, and on which opinion was greatly divided, and they give the fairer test of sagacity, as one was of foreign, the other of domestic, policy. The first was an enterprise of continental warfare in the Peninsula, as a means of finding a better field of battle than we ever before had against imperial France, of forming our army, of bringing forward nations in arms as its auxiliaries, and creating a powerful diversion in favour of eastern and northern Europe. The campaigns of the Duke of Wellington, which began on the coast of Portugal, bear the most splendid testimony to the soundness of the policy pursued, as well as to the astonishing sagacity, and the extraordinary combination of military talents found in him who brought them to such an end; but yet, so loud and determined were the forebodings of woe uttered during the whole of this warfare, by the leaders of the then opposition, now leaders in the Government, even to the last moment of the contest, that their voices could only have been drowned by the sound of the cannon proclaiming his entry into Thoulouse, and the first peace of Paris. So much for their prophecies of woe. If I now turn to one of weal, I do it with pain, because it has been frustrated, and because (and I can most solemnly affirm it) it would have been a delight to me to see my own forebodings of national misfortunes falsified. Of the policy or impolicy of the great measure of 1829, I say not one word—not one syllable; I merely and solely advert to it as affording a test of prophetic powers respecting its results, and no further. I was painfully compelled to take the line I did, by convictions, which have been but too completely justified. But I may ask—that which the records of our debates so amply bear witness to—whether there was a beatitude of harmony and concord between Great Britain and Ireland, which was not confidently predicted as the infallible result of the measure of emancipation, and whether an utter mistrust of those prophecies was not scouted as gloomy and extravagant croaking. The British islands were to become the fortunate Western Isles—the Hesperides of the ancients; each bough of every tree was to bend down under the weight of golden fruit, but there was to be no dragon to watch it. Alas! has the nation beheld the golden fruit?—the fire-breathing dragon is at the foot of the tree, and he is wide awake. If there was never disastrous intelligence from across the water—if no cries for a dissolution of the Union had resounded from Ireland—still our own nightly debates would testify how these prophetic visions have been realized. Now, then, if these statesmen prophesy in foreign or domestic affairs, in weal or in woe, and uniformly fail, is there one such down-right believer as to pin his faith upon such soothsayers? If a man is summoned to a desperate enterprise, it is natural that he should seek strength in his leaders, proportionate to his own weakness. If I am called to the attack of some fortress of massive bulwarks, and hitherto impregnable, I must look for mighty men of renown, for bearded men of herculean frames to head the assault. Dare I to follow with implicit compliance where every thing inspires me with dismay? There is not a circumstance with respect to our revenue, our commerce, our manufactures, our colonies, or the public mind, that gives me hope. Our oldest allies are disappearing one after another, and in their places I see nothing but fierce armed spectres gliding across our horizon. If some dreadful epidemic or contagious malady were raging, and within my walls, with what thoughts, with what feelings, should I receive the following communication from the physician who had been called in? "Sir, your groom, it is true, is dead under my hands, the gardener's case is desperate, and I have no hopes of the helper; the footman is dying, and things being so and thus, I therefore earnestly call upon you, not to be deterred by these petty casualties, but to place in my hands, with implicit confidence, the lives of the wife of your bosom, and of the daughter of your heart." The beauty and durability of the work, must be in proportion to the skill and powers of the artist. If, in eastern tales, a magnificent palace of beautiful architecture, vast in its dimensions, and gorgeous in materials, is to be raised, it is reared by the hands of the genii. If, in the poetry which the most delighted our youth, a suit of impenetrable armour is to be forged, as it is now, for the goddess of the sea, the hammers must be wielded by the brawny arms, and the giant forms of the cyclops. In answer to all this, I am told the nation wills it so—that I must submit to the will of the people, which knows of no refusal—that, as one of our mottos expresses, "*Vox populi, vox Dei.*" I can only reply, that the eyes so inflamed, the countenance so haggard, the features so distorted, the gesticulation so wild and vehement, denote to me anything rather than an heaven-sent inspiration. I confess, in the sincerity of my heart, that my alarm at what is in progress is so deep and overwhelming, that, between this moral pestilence now raging, and the physical pestilence abroad amongst us, aye, were it an hundred fold more devastating and devouring than it is, were the choice vouchsafed to me, as it was between like evils to one of old—I would at once, like him, for me and mine, throw myself on the mercies of Heaven, rather than on those of man.

Mr. *Adeane* said, that he had supported the principle of this Bill by voting for the second reading of it, because, he thought the extinction of the decayed boroughs, and the transfer of their franchises to the landed, commercial, and manufacturing interests, absolutely necessary for the good government of the country. With the same views he had, when it was in Committee, supported such amendments as he thought should be introduced into it, without any reference to the side of the House from which those amendments emanated. He did so, because it was the duty of the House to amend the Bill in Committee, as well as it could, wherever it required amendment. He had pursued such a line of conduct, because he wished to see all defects in the details of the Bill remedied, and because he was anxious that a collision between the two Houses of Parliament should, if possible, be avoided,—an event, the occurrence of which, no one who was attached to the Constitution of the country could witness without fear and apprehension. It was upon such grounds that he had given his support to several of the amendments that had been proposed in the Committee, and he had no hesitation in now declaring his regret that the amendments which he then supported, the majority of which went to give greater power and weight to the agricultural interest, had not been adopted. He was sorry to say, that the agricultural interest was not sufficiently supported or fairly represented by this Bill, as it at present stood. The variations from the former Bill, which had been introduced into this Bill, justified him in asserting that the agricultural interest was not fairly represented by this Bill. The noble Lord (Althorp) when the first Bill was introduced, described it as a boon to the agricultural interest, and the noble Lord, in making that statement, particularly referred to the quantity of rural districts which it went to add to the towns that would return Members. There were in the first Bill eighty places, sending to that House 113 Members, and of these, twenty required full one-half, twenty more required one third, and the remainder required a fraction, at least, of a rural constituency, in order to give them that amount of constituency, which, under that Bill, would entitle them to have a Representative. The Bill was presented to the country upon that ground at the election, and that argument was successfully used to convince the landed interest that they would be fairly dealt with. He, therefore, thought that a change which affected all these proportions ought not to have been adopted after the pledges which had been given. It had been asserted, by the noble Lord the Chancellor of the Exchequer, when the former measure was under consideration, that, under no circumstances should the town voter be allowed to overpower the agricultural electors, but such would, notwithstanding be the effect of the alterations that had been since introduced. By allowing all freeholders from 40*l.* up to 10*l.* per annum, living in towns to have votes for the counties the landed interest would be swamped. He regretted deeply, that such changes had been made, after the pledges given to the landed interest, and after they had returned their Representatives on the faith of those pledges. If the large towns had been permitted to send their own Members to Parliament, and had not been allowed to vote for counties by their smaller freeholders, he thought a sufficient quantity of manufacturing blood could have been introduced. Lamenting, as he did, that the amendments which he had supported had not been adopted, still, as a sincere Reformer, firmly attached to the leading principle of the Bill, he should vote for the third reading of it. He knew very well that the course which he took with regard to those amendments would earn for him much odium, but he feared not the necessary consequence of his not acting on party principles, but on his honest conviction. It was from honest motives, and from an honest conviction, that he had endeavoured to get the amendments which he had supported introduced into the measure; but though he had failed in doing so, he should not have the least difficulty in voting for the third reading of the Bill.

Sir *Edward Sugden* was sure that the hon. Member who had just sat down would receive full credit from the House for having acted with regard to this question, upon conscientious grounds. But when they heard the hon. and learned Attorney General speaking of the entire satisfaction with which the Bill was regarded by a nation all harmony and content, he begged to ask, whether the sentiments of the hon. member for Cambridgeshire, supported by such sound reasoning as that hon. Member had advanced, went to support that statement of the hon. and learned Attorney General? But had not the House found, by the frequent divisions which had taken place, that there were many Gentlemen who supported the Bill, and who yet had in their hearts a dread of its effects, and objections to many of its principal provisions? Had they not the other night seen a right hon. Gentleman, until very recently connected with the Government, get up in his place, after having supported the Bill all through, and take a practical objection to some of its leading principles. To one of them he expressed his intention to move an amendment. Indeed, he should like to be told who, even amongst its authors, was the supporter of the Bill in all its provisions? The noble Lord, the Chancellor of the Exchequer, could not be satisfied with it, for he wished for the Ballot, and in the Bill there was no provision for the Ballot. To maintain his own consistency, therefore, the noble Lord must support any other measure hereafter proposed which should include the Ballot. Then, there was the noble Lord (the Paymaster of the Forces); did he look upon it as a final measure? Undoubtedly not; for, on opening the measure to the House, he stated, that the duration of a Parliament was a matter to be left open to future consideration. He believed, indeed, there was no man but his hon. and learned friend the Attorney General who had told him that it was to be regarded as a final measure. Now, his hon. and learned friend should be the last man to give it that recommendation in the House, after what he had said out of it. He wished his hon. and learned friend was present, that he might hear what he was about to say. In a Report of a conversation between his hon. and learned friend and his constituents, it had been stated, that he was asked, if he would support the Ballot, and his hon. and learned friend was further made to answer that he wished to try the Bill, and then, if it did not work well they could have the Vote by the Ballot. After this he had never heard anything with more astonishment in his life than when the hon. and learned Attorney General called upon the House to pass the measure as a final one. Then there was another Member of his Majesty's Government—the right hon. Baronet the member for Westminster—who might be considered as the organ of a certain class of Reformers, though certainly he had now been cast off by a large body of them, who had elected other leaders of their own; they were told last year, by the right hon. Baronet the member for Westminster, that it was impossible the measure could be final. The right hon. Baronet had, over and over again made use of that assertion. He had told the House in fact, that this Bill was but a stepping-stone to something better. If, then, this was not to be a final measure, he asked, to what point were they to go? Where were they to look for pause and rest? He knew not; but, at all events, it was idle to talk of this measure as a permanent one, when the most active of its supporters viewed it in a contrary light. The hon. and learned member for Calne had said, that if all the blessings enjoyed by the country were to be attributed to the Constitution, so were all the miseries endured. That was rather strange reasoning; but, adopting it, let him follow the hon. and learned Member a step further. The hon. and learned Member said, he found in the Constitution a sound part and an unsound part; and what of that? Was that any reason for destroying it altogether? Was that any reason why they should break in upon the Constitution, and lop, right and left, without judgment, without science, without prudence, and without system? He did not wish to retain the corrupt or bad parts of the Constitution, but he did wish, and it was his duty to his country, to retain the Constitution itself. Now, fortunately enough, the hon. and learned Member had undertaken to show how, in the midst of so much rottenness and corruption, as he said, existed in the Constitution, so many blessings had been derived from it. The hon. and learned Member had found out a sound part. And that sound part was the county Representation and the Representation for popular constituencies. The Representatives returned by those constituencies, said the hon. and learned Member, had defended the rights and privileges of the people, and led to the blessings enjoyed under the Constitution. Why, was there ever an assertion made which was more unfounded in justice? Was it not a well known and indisputable fact, that the ablest, most powerful, and most successful advocates for the rights and liberties of the people had sat in that House for nomination or close boroughs? It was, and it was idle to attempt to deny it. He did not wish to place nomination or close boroughs higher in estimation than they ought to stand; but he could not help exposing the weakness of the argument of the hon. and learned Member. For his own part he was ready to acknowledge that he looked upon nomination boroughs as an evil in principle—as something that it was desirable, if possible to get rid of, they were a sort of blot upon our admirable system of Representation; but, at the same time, he was not willing or ready to destroy that system altogether for the purpose of extinguishing them. Let a more constitutional mode be devised of securing the blessings which existed through the medium of the nomination boroughs, and he would at once give them up. His object was, not to oppose popular Representation, but to oppose such a Representation as would endanger the long established institutions of the country. Such, he declared honestly and solemnly, was his desire; and such being his feeling, he could not, upon that the third reading of the Bill, avoid raising his feeble voice against it once more, and attempting to expose to the House and to the country some of its manifold errors. He was anxious to reply to some of the observations which had fallen from his hon. and learned friend, the Attorney General. His hon. and learned friend, from his station, must be supposed to be acquainted with the Bill in all its bearings. He was not, or his station would imply that he was not, an unlearned person; and, therefore, it became important to try the real value of his observations before they had obtained credit upon the strength of the office filled by his hon. and learned friend. His hon. and learned friend had told the House, that he was astonished to find the Bill passed with so few alterations, as compared with the Bill of last Session. The astonishment of the Attorney General was one of pleasure at seeing the Bill now passed so extremely like the Bill of last Session. The assertion of his hon. and learned friend was far more astonishing than the resemblance of the Bills to each other. He wished not to speak with anything like unkindness of the conduct of his hon. and learned friend, especially during his absence from his place, but he must say, that he had compromised the dignity and the character of his office. His hon. and learned friend, for week after week, had been an inactive silent Member of the Committee when important legal points were in dispute, which ought to have been discussed by the Law Officers of the Crown. He did not say the Attorney General had been an inattentive Member of the Committee, but certainly he could hardly suppose his hon. and learned friend knew much about the two Bills, when he said, they were so similar to each other that, when apart, it was difficult to find a difference. He must say, that no two measures, possessing any portion at all of the same principles, could, by possibility, be more unlike. Compare the two Bills, and the truth of his position would be palpable beyond dispute. The first Bill consisted of twenty pages the present Bill occupied fifty-five pages. If the Bills closely resembled each other in meaning, whence this immense difference in their dimensions? If they enacted the same things, why this great and extraordinary change in the wording? But was it mere change in the wording? Most assuredly not. The meaning was as much changed as the language. On the introduction of the first Bill the noble Paymaster of the Forces had declared, on the part of the Government, over and over again, that the measure was introduced after the most mature consideration, and that therefore, the Government would stand or fall by it. In making a comparison of the two Bills, and trying the nature of the Attorney General's assertion, it was as well to bear the assertion of the noble Paymaster of the Forces in mind. By the first Bill sixty-two Members were cut off from the whole Representation of the empire; but was that the case with the present Bill? No; the old number was to be preserved; and was that a slight and immaterial difference? Did it not go to the very foundation of the measure? Did it not attack and destroy the very judgment and calculations upon which the first measure was built? Most certainly it did. The absurdity of the first Bill was gross; but that did not make the difference between the two less. The first Bill talked of extending the elective franchise, and of admitting half a million of persons to the constituency; and of providing for the increased wants of the nation, the immense growth of commerce, and yet it reduced the number of Representatives. Well, but now the old number was to be preserved, and they had been disposed of, and that without settling the calls of Ireland or of Scotland. Ireland through her Representatives required more Members; and Scotland was not silent upon the subject; but the whole of the old number had been disposed of without settling either of those questions. It was the unwise, unstatesman-like conduct of the Government, that had led to the demand of Ireland. Had not the Government said in its first Bill England can do without sixty-two of her Members, Ireland would never have required an increase of hers. If the Government had not shuffled, and dealt with the Constitution as it had done, all parts of this empire would have been content. It was lamentable to see the childishness of the Ministers; they dallied with the Constitution, which they could not estimate, as they would with a worthless toy. One day a Member was refused to Merthyr Tydvil, the next day it was conceded. One day Monmouth was put in the schedule, the next day it was taken out, and that too, without notice, without, intelligible system or design. Unless, indeed, he might build a judgment upon the manner of the noble Paymaster of the Forces, who seemed—he said seemed—to be gratified with an opportunity of punishing those, by injuring their interests, who were known to be his political opponents. The interests of Merthyr Tydvil and of Monmouth were different, and that accounted for the changes as changes of party, but not as changes, in a measure remodelling the Constitution. So much for the numbers of the House. As for schedule A, they were told, on the introduction of the first Bill that there could not possibly be an alteration in it. How stood the facts? In the schedule A of the first Bill there were sixty boroughs; in the schedule A of the present Bill there were fifty-six boroughs; and the boroughs in the two Bills differed considerably from each other. Then schedule B, like schedule A, was unalterable; but yet, in the first Bill there were forty-six boroughs in schedule B, and in the present Bill there were only thirty boroughs. Now to stop there a moment. Let the House consider those two schedules, and what would have been thought of the alteration, if any one had ventured to propose it at the general election, when the cry was for the Bill, the whole Bill, and nothing but the Bill? If any candidate, addressing a large and Reforming constituency, had said, "I am a friend to Reform, but I think schedule A would be better if it had just fifty-six boroughs in it, and schedule B would be better if it had just thirty boroughs in it," what would have been said to him? He would have been utterly rejected. That single reflection ought to excite caution in the minds of the Ministers. It would be well for them and for the country if they reasoned upon the change which had taken place—if they asked themselves how those who were returned to support the first Bill now supported so different a measure as the second? He knew not what the noble Lord (Lord John Russell) might be able to do in a Reformed Parliament, but he would have a fearful task to perform when the people, awakening from the delusion into which they had been seduced, demanded that Constitution and all its blessings which had been wontonly destroyed. In the day of anarchy and confusion—the necessary offspring of the present monstrous measure—the people would demand from the noble Lord the old Constitution which, in his most sober and reasonable moments, he had so ably and happily eulogized. But, to proceed with the differences between the two Bills. In the first Bill it was proposed to transfer to Commissioners the power of parcelling out the Representation. In the present Bill there was to be no such power. Appended to, or rather connected with, the present Bill, however, there was to be a Boundary Bill. His hon. and learned friend, the member for Boroughbridge, had formerly complained of the information being laid before Members in a state unfit for use, and at the last moment. That defect in the supply of information had been altered, for now the information was not before the House at all until long after the period at which it could be applied had passed away. So with respect to the Bill affecting this part of the subject. The Boundary Bill was to be discussed after the boundaries had been settled. These observations, as showing the difference between the Bills after the assertion of the Attorney General, were important. But there were other topics which required notice. One of them had been alluded to by the hon. member for Cambridgeshire. That hon. Member had observed upon the change in the right of voting for counties. He remembered perfectly well that the noble Lord, the Chancellor of the Exchequer, during the debates on the first Bill, had declared over and over again that the arrangement they made respecting cities and counties in themselves was a great boon to the agricultural interests. He then asked the noble Lord why was it altered? If the noble Lord said it was altered in consequence of the motion of a noble Marquis (Chandos) being carried, was he to understand that the noble Lord dissented from that supposition? He wished the Ministers would speak out, would fairly let the country know what they did mean, and, if they could, state the grounds upon which these alterations were made. But the noble Lord having declared the first arrangement a boon, and a great boon, to the agricultural interest, why, he asked, was it withdrawn, and, by a new plan, an overwhelming influence given to the commercial and manufacturing interest? [Lord *Althorp* "No, no."] The noble Lord appeared to entertain a different opinion, but he had considered the Bill most attentively, and he could not form a new opinion quite so hastily, or upon such grounds as the noble Lord might desire he should. He knew the noble Lord might say that, in some cases, it was necessary; but there were cases in which there was no pretence for assigning expediency as an argument. Look at the cases of Coventry and London. Why was Coventry thrown into Warwickshire, and London into Middlesex? Was there not enough of town constituents in Warwickshire, without adding to them those of Coventry, and of town constituency in Middlesex, without adding to them those of London? The reason for this alteration was plain, and not to be disguised even to the casual observer. He would not occupy the time of the House by pointing out the great difference between the agricultural tenant to the amount of 50*l.* and upwards, and the tenant of a mere House to the same amount. The Attorney General had said, that he was extremely pleased at the Motion of the noble Marquis (Chandos) being carried; but his hon. and learned friend had never said so much before. On the contrary, judging from the votes of his hon. and learned friend, he had supposed him to be opposed to that motion. His hon. and learned friend had voted in the minority with Ministers, but now it appeared he voted against his wishes. Perhaps there were other points upon which his hon. and learned friend, and many who supported the Bill, would like to see alterations. An evening or two ago the right hon. the member for Stamford, had also let out a little secret. That hon. Member, it appeared, like the Attorney General, had voted with the Government, but had wished against them. If they could but be placed for a short time in the palace of truth, many and curious would be the facts they should arrive at. It would be remembered that this was no unimportant part of the Bill. The regulation of the right of voting was of the utmost consequence. Indeed, if there was one part of the Bill more important than another, it was that. He then came to the 10*l.* franchise clause. And what change had that undergone? At first four things were necessary. A house giving a vote was to be of the value of 10*l.*, the rent was to be of the annual amount of 10*l.*, the rating to the poor was to be upon a rent of 10*l.*, and the inhabitant house duty was to be upon the annual value of 10*l.*; and it was required that the rent and taxes should be paid before the vote be given, or even the right registered. He had always thought that arrangement a bad one. It might be well for the landlords, but he could not see why their debts were to be paid in preference to all others, and by such an arrangement as gave them great power over their tenants. But the noble Lord abandoned the plan. He gave up the necessity of the rent being paid. And what did he do besides? Why he proposed that the rent should be payable half-yearly. Immediately the noble Lord was assailed by his friends, the Political Unions, and the noble Lord said it was a mistake. The noble Lord, if he wished anything, must have wished to recal the extension of the franchise he had promised, but he said, he wished to exclude weekly tenants merely from the exercise of the franchise. The noble Lord, however, gave way. Was that a concession, he would ask, to the middle classes? Were the middle classes to be found among the weekly tenants of 3*s.* 10*d.* per week? It would be absurd to say so. The noble Lord had given way, not to the middle classes—that sober industrious, and meritorious part of the community—but to the Political Unions, which embodied the discontent and the bad feeling of the country. He complained of the noble Lord for compelling him to enter into a personal contest with the hon. member for Ipswich. The noble Lord said, he made the alteration in consequence of the Representations of the hon. member for Ipswich. Supposing that hon. Member had applied to the noble Lord on the subject, had no one else applied? Had not the Political Unions applied? Would the noble Lord tell the House that the alteration was made in consequence of the Representations of the hon. member for Ipswich? [Lord *John Russell*, "Yes."] Then he would tell the noble Lord that he was not fit for the place he filled. When he looked at the Government of the country he expected to find it composed of men of wisdom, learning, and experience; he expected to find it directed by great talent, by grave counsel, and by consistent and enlightened principle; but when the noble Lord told him, that the mature deliberations of the Government were overturned by the Representations of the hon. member for Ipswich, he turned from the Ministers with contempt.

Mr. *Wason* wished to be allowed to say one word [*cries of "Order."*]

Sir *Edward Sugden* continued. But although a change was made, there was still some check kept up. That check, however, was not liked, and the noble Lord again gave way. Did not a deputation wait upon the noble Lord and inform him and impress upon him that the persons paying their rent weekly were highly respectable, and that the arrangement was made solely for the convenience of the landlord? Then the last check was assailed. By the Bill it was provided that the premises for which the vote was claimed should be held for a year. That, however, was objectionable. The words "same premises" were struck out; so that a man might occupy fifty different premises in the course of a year, and yet claim and exercise the right of voting; would any one say that was a boon to the middle classes. It was a mockery to speak in such language. The noble Lord at the head of the Government said, he would satisfy the public mind without violating the Constitution, or disturbing the ancient institutions of the country, and the noble and learned Lord at the head of the law department in the Government said, that Ministers "would follow in the ancient ways of the Constitution." How were those ancient ways observed? He defied the noble and learned Lord, or any supporter of the Bill, to show that the ancient and approved principles of the representative part of the Constitution were regarded in the Bill. The noble Lord, the Paymaster of the Forces, said, on the introduction of the first Bill, that it was of the greatest importance to give to the industrious, sober-minded, and respectable portion of the community, a direct share in the Representation. Did the noble Lord mean to say, that the 10*l.* clause, as it stood, would have that effect? Why, that provision nearly amounted to Universal Suffrage in the metropolis. Let the noble Lord refer to the documents on the Table of the House, and examine into the facts bearing upon the metropolitan districts, and most of the large boroughs to be created, and he would find the 10*l.* clause little short of Universal Suffrage. It gave a preponderance to the lower orders, which would swamp and destroy the influence of the others. The hon. and learned Gentleman said, that the aristocracy should not have an undue influence in the State. He did not wish that the aristocracy should have power solely for their own sakes. Let it not be supposed that he wished to maintain the aristocracy merely as an aristocracy; he had no such desire; but he did wish to maintain the aristocracy for the benefit of the lower orders themselves; and, in doing so, he believed that he was supporting their best interests. This was his sincere and honest feeling. Indeed, it was impossible that he could act from other motives on this point, sprung, as he was, from the humblest class of society himself. He had no motive—no desire—indeed he could have none—to fly in the face of his fellow-countrymen, and to deprive them of the rights which they enjoyed. He had never sought preferment, nor had he ever received any patronage. He had been advanced in life it was true, but that advancement was the fair result of his honest exertions. He had never sought for office, but he had been called to it; and although he had now the privilege of addressing that House, that privilege had not been arrived at by unworthy means. Such was his position; and he solemnly declared that if ever the time arrived when he could claim privileges for the lower classes of his countrymen, consistently with the benefit of the empire, there was no man breathing who would be more zealous, strenuous, or sincere, in his exertions to effect that object, than he would. He now stood up in defence of the aristocracy; but he should be equally zealous in defence of the rights of the people, if he saw them infringed. He would then turn to the rights of the 40*s.* freeholders, and see how they had been dealt with. When the noble Lord, the Paymaster of the Forces, first introduced the subject, he said he had no intention to interfere with the rights of the 40*s.* freeholders. That noble Lord said, he considered the 40*s.* franchise as invaluable, and entitled to respect, both from its excellence and antiquity. But how did the present Bill deal with that franchise? Why, it materially curtailed it. If a man devised a freehold of 40*s.* to a son for that son's life, and to his children afterwards, that freehold would give no vote to the son. If a man married a woman, and by that marriage became seised of a 40*s.* freehold, the freehold so acquired and so held would give him no vote. Surely, these were novel and unconstitutional restrictions, and ought to be exposed. The country in general naturally relied upon the professions of the Ministers, and the people out of doors had no notion whatever of the changes in the rights of their ancient and wholesome 40*s.* franchise. It was very well for his hon. and learned friend to say, that no alteration had been made in this Bill, but this latter alteration was of great importance. In the first Bill, also, the patronage of appointing the Assistant Barristers was given to the Lord Chancellor, but that provision was struck out of the present Bill; and would his hon. and learned friend say that this was no alteration? In his mind it was a most desirable change. He should further glance at the remaining schedules. He had already noticed schedules A and B. In schedules C great alterations had been made. In the first Bill schedule D contained eighteen boroughs, and in the present it contained twenty-one boroughs. Schedules E and F had also been very much altered, and there were now seven counties which were to have three Members instead of two. Such were some of the differences between the two Bills, and yet his hon. and learned friend, the Attorney General, said "it is astonishing to see so little change." Why there was not the crossing of a *t*, or the dotting of an *i*, in the one Bill, that resembled that in the other. "But," said the supporters of the Bill, "you who oppose it propose no plan of your own; instead of finding fault with the Bill devise a better." Why, had the

Opposition to this Bill shrunk from the discussion of any one topic? Had not the opponents of the Bill fully declared their sentiments, and what they thought would be desirable? It was impossible, in reflecting on the blessings derived from the Constitution, not to ask what had hitherto been the effects of the Bill. It had, in fact, reversed the principle of Government. Under the ancient system the Government restrained the violent with a paternal but a strong hand, while, under the new system, the Government were before the people in extravagance, and almost gave the signal for unconstitutional combination, and the spreading of those watchwords that were dangerous to peace, to law, and to good order. If he looked to the high office which his hon. and learned friend fills, what did he find? Why, the influence of this measure had paralysed, if not destroyed, its power. The Attorney General would not dare to exercise the authority, or to pursue the course which the Constitution pointed out to him. Had he even now the power to bring to justice persons who were guilty of sedition? Again, look at the public Press. The liberty of the public Press had degenerated into licentiousness. The question now to be asked was this—was it the editor of a newspaper, or the noble Earl at the head of the Administration, who held the reins of Government? This was even the case with that part of the Press which professed to support his Majesty's Ministers, and even by its licentiousness the office of Attorney General had been paralyzed. It was surprising to him, that notwithstanding all the knowledge and ability of the conductors of the Press, it never seemed to have occurred to them, that when the institutions of the country became more popular than at present, the liberty and licentiousness in which they were now permitted to indulge must be curtailed. Under a free, and well-regulated form of Government, full liberty could with safety be given to the public Press; but the moment the balance turned from real liberty, whether towards despotism or democracy, the Press would meet with a check. That which tended, therefore, to the latter change, as did this Bill, struck as much at the liberty of the Press, as did that which tended to the former. Another consequence of this measure was, the leading of people from the old notions of responsibility, and a breaking up of the social system. In illustration of this position, he would refer to the refusal to pay parish rates. Let hon. Members who held lightly the reports as to the effects of this Bill, consider well this matter. It was a dangerous beginning, and, if not checked, would lead to fearful results. Nothing could be more dangerous than for the people to be possessed with a notion that they were not bound to obedience to a law, because that law could not be enforced by violence. The laws never could be thrust upon the people. The people must support the laws, or they must fall; and dangerous would be the feeling among the people that the law was their oppressor, and not their protector. But, if in England, since the production of this Bill, there had been a refusal to pay parish rates, what had been the case in Ireland? In Ireland there had been a refusal to pay tithes, and most alarming and most dangerous doctrines had been held upon that refusal. It had been advanced in that House, because certain persons had already disobeyed the law, that, therefore, they should be released from further obedience to it. Let them once teach one set of people that they could cast their burthens on the shoulders of another set, and there would soon be no set that would bear any burthens at all. Were hon. Members and the country so little acquainted with the course of history, as to suppose that the people at large would benefit by a confiscation of Church property? If they were, great was their error, and great would be their disappointment. Another effect of the Bill was, to paralyze trade, and even to affect the credit of the country. He knew that the supporters of the measure say, the depressed state of trade was occasioned by the opposition to the Bill; but he would prove the contrary to be the fact. Every one knew that capital was a tender plant; that it shrunk at change, and was often frighted away altogether by it. But it was said that this Reform Bill was to open new sources for commerce, and to purify old ones. If so, how was it that the bare promise of it did not act as an encouragement? How was it that ever since its production, although it had been continually promised to be passed, trade had regularly gone on getting worse and worse, instead of improving? The cause was evident; the Bill promised not security from further change, but to open a vista of change of which no man could see the close. He trembled at the thought of revolution, and who could watch and examine the effects of this Bill without expecting one? He spoke for himself, and would say conscientiously, that looking to his own interests as a member of the community, and naturally casting about to see how he could place any property he might possess in security, he was at a loss to find out a satisfactory way. He believed that a large portion of those who possessed property thought with him, and, therefore, the passing of the Bill would only add to the embarrassments of trade. He came down to that House night after night to discuss this Bill, but he felt, as he believed others did, depressed more and more on each occasion with the fear of the results that would flow from it. He was sure if the noble Lord would take the trouble to inquire, he would find that a large portion of the thinking part of the community shrunk with dismay from the probable consequences of this measure. All perceived that a storm was gathering, and no man could tell how or when it would burst! Would the passing of this Bill diminish this alarm? Would it heal all doubts and fears? Was there anything in its character likely to produce such an effect? On the contrary, in his opinion it would increase the evil tenfold, and would excite new apprehensions of the most alarming character. The stability of everything in the State would be shaken, and the anxiety of every possessor of capital would be augmented. For what would be the operation of the measure? This country differed from all other countries in the world in this that, having a numerous and intelligent population, the mass of the property was, comparatively speaking, in few hands. By the present Bill, however, the property of the country would continue in one set of hands, and the power in another. If it were necessary to instance further mischiefs produced by the Bill, he would refer to what had occurred at Bristol and Nottingham. Those outrages were entirely owing to the Bill; and, dreadful as they were, their occurrence where they did take place, probably prevented the occurrence of much greater elsewhere. The Political Unions also entirely sprung from the Reform Bill [*hear, hear.*] Did hon. Gentlemen mean to deny this. He admitted that there were Political Unions before that measure was introduced; but in the sense in which he used the words, he was correct in their application. When he said, the Political Unions had sprung from this measure, he meant that it had led them to assume their present character, to investigate and condemn the conduct of Members of this House, and to put a bridle upon the Government. Regarded in that light, he contended that the Political Unions were the children and the champions of the Reform Bill. If the Bill should pass—which God avert!—it would be the bounden duty of his Majesty's Government immediately to put down the Political Unions, or the Political Unions would put them down. Another mischief resulting from the measure, was, the introduction in this House, and elsewhere of the most unconstitutional principles. The hon. and learned Solicitor General for Ireland formerly maintained that the Crown should omit sending Writs to those places which it was thought desirable to disfranchise. The hon. and learned Gentleman argued that at considerable length, and the consequence was, that on some hon. Gentlemen on that side expressing their indignation at such a monstrous doctrine, the noble Lord, the Chancellor of the Exchequer, rose, and on behalf of the Government, disclaimed any participation in such sentiments. Notwithstanding that, in a paper, said to be Ministerial, it was argued, but two nights ago, that the King of England had a right to dissolve Parliament, and to send Writs only to those places which he pleased. A more daring and illegal assertion was never made. At other times such a doctrine would have been prosecuted by the Attorney General at the order of the House. Then, as to the permanency of the measure, the right hon. Baronet, the member for Westminster, had argued, in the strongest manner, that the Bill could not be lasting, but that it would lead to ulterior measures. Again, the hon. and learned member for Calne said, that if the principle of Reform was once admitted, they must go to the whole extent. He would not, however, enter upon this subject now, as he had already occupied too much of the time of the House. It was impossible, however, that the Bill should be lasting, as it did not go the length which the discontented required; and nothing short of Universal Suffrage and the Ballot would meet their views. Let it not, however, be supposed, that because he opposed this Bill, that he was adverse to all change. He was not prepared to say, that circumstances might not compel them to go a great way, but with other opponents of the measure, he felt that this measure went much too far. He had often expressed his sentiments with candour on that point. It was said, that the opponents of the Bill had no plan, or had proposed none. But he asked, whether their sentiments were not fully known to the country? They objected to the measure as a whole in consequence of its going too far; they also objected to several of the details on specific grounds. They objected to the metropolitan boroughs; they were opposed to the giving the freeholders of towns, being counties in themselves, votes in the counties; they thought the 10*l.* franchise would destroy the constituency, and upon all other points they had fully expressed their opinions. His opinion of the conduct of the Government was this:—They had gone too far to be able to stop. The noble Lord said, "Would you be a bit-by-bit Reformer, and so never give content?" But would this measure give content? Why should it? Would it satisfy those who asked for it? Would it meet their views and effect what they wanted?—No. The great body of the lower orders wanted a relief from taxation, and an increase of trade. They wanted cheap bread, and high wages. To procure cheap bread, they would destroy the Corn-laws, and that would only tend to lead to their own misery. They would also abolish tithes; but let the Government and proprietors of all descriptions consider well before they encouraged such notions. If they did encourage them, were the rights of the Church the only ones that would be inquired into? Were there not other records—the ancient spoils of the Church—which might also be questioned? He was convinced that a Reformed Parliament, such as would be returned by a 10*l.* constituency, would go far to shake the stability of the Throne. There was at present a feeling that the hereditary revenues of the Crown should be disposed of, and that all Crown lands should be sold, and the feeling appeared to be, to make the King entirely dependent for his resources on a Reformed Parliament. He was sure that there was not an institution in the country that would not be shaken by this measure. This Bill ought not to be considered by itself. It was only a part of a measure, and the Bills for Scotland and Ireland ought to be taken in conjunction with it. The House of Commons was obliged to take each Bill separate; but how could the House of Lords do so? The Irish Members said, they were determined on an increase of their numbers, and that question ought to be settled before the House of Lords was called upon to decide upon this Bill. It behoved the House of Lords, therefore, to have the whole of the Bills before it, to see the entire of the measure before it entered upon the consideration of any part of it. Having considered what the measure had done, he would show in a few words, what it had not done. A Minister might be a most complete Radical Reformer, but being so would not enable him to force an unjust tax upon the funds. A Minister might be a thorough Radical Reformer, but being so would not enable him to give tranquillity to Ireland, or to maintain the law, peace, or justice there. A Minister might be a thorough Radical Reformer, but it would not enable him to remove the miseries occasioned by the Game-laws. A Minister might be a thorough Radical Reformer, but being so would not enable him to effect wholesome Reform in the judicial system of the country, or to secure efficient Judges. The Chancellor of the Exchequer, alluding to the argument of an hon. Member respecting the Nabob of Arcot, said the Emperor of Russia had as good a right to have Members in that House as the Indian Prince. He knew not how that might be, but it appeared that a Minister might be a Radical Reformer, and yet the advocate of the Emperor of Russia, for the Chancellor of the Exchequer had given millions to that potentate in defiance of his country's interests and her just rights. There was another remark which fell from his hon. and learned friend (the Attorney General), which he could not help noticing. The Attorney General had censured the allusions which had been made on his side of the House to the threatened exercise of the royal prerogative in the creation of Peers for the purpose of passing this Bill. Could the right of that House to notice such a Motion be questioned? Had not the House on a previous occasion impeached a Minister who had advised an unconstitutional exercise of the royal prerogative, and were they then to be told, that to notice the question was foreign to their duty? Were they not threatened with danger on every side, and were they not told, if the Bill now before the House did not pass a third reading elsewhere, it should be made to pass by what he had no scruple in denominating, the unconstitutional exercise of a constitutional right. He was ready to admit, that the hon. Members opposite who were leagued together to support Reform, did so from the best motives, but he claimed the same justice to those who opposed the measure. It was said, by hon. Members on the other side of the House, that the use of that illustrious name originated with those with whom he (Sir Edward Sugden) was leagued in opposition. This he confidently asserted was not the case. It was his Majesty's Ministers who had set the example, and in using that expression he did mean to say, that such example had been followed, by coupling his Majesty's name with their Reform project. Could any man deny that such was the fact? Well, and in what light ought the House to view such a use. Could it be justified on any principle whatsoever? He maintained that it could not. Indeed he would go further, and boldly assert, that the mention of the King's name with a view of prejudicing a discussion on a measure before that House was a gross breach of not only the privileges of that House but a great trespass on the people at large. But if it was a breach of privilege of that House to use the King's name with a view of swaying the opinions of its Members, how much more was it a breach of the privileges of the other House of Parliament to threaten it with the exercise of the King's authority and privilege in the creation of Peers? Hon. Members were in the habit of alluding to the creation of Peers in the reign of Queen Anne. But if the exercise of the prerogative of the Crown on that occasion was bad and deserved condemnation, how much more would its exercise on the present occasion, should it be exercised (which he could hardly believe it would), merit reprehension? The creation of Peers in the reign of Queen Anne was limited, being but an increase of twelve Members. How would the case stand should any creation be resolved upon now? Why, the increase to effect the object which Ministers had in view must be enormous; in fact, it would amount to an absolute deluging of the other House. He had ever viewed with feelings of strong reprehension the manner in which the creation in the reign of Queen Anne took place, and he should certainly entertain a similar and a much stronger feeling should that proceeding be now adopted. Indeed, he could not conceive how any man could suffer himself to be invested with a Peerage under such circumstances. What would be the opinion of the people of England, if a number of Members of that House walked up to the other House and immediately voted there in favour of this Bill, after voting for the third reading here? What would be the opinion of the people of England after the fever of excitement was over? Would they not say that such persons were biassed in their votes by the circumstance of their advancement? Would they think it consistent with constitutional principles that Members of this House, after voting upon a question here, should go to the other House and vote upon it there? Nothing, in his opinion, could possibly be more inconsistent with the proper feeling which should characterize a Representative of the people, after having given his vote on a particular question, than to suffer himself to be transferred to the other House for the sole purpose of tendering in it a similar vote. The Crown, certainly, had the prerogative of creating Peers, but the individuals selected ought to be persons of eminent merit, or of wealth and property, and the Crown unconstitutionally exercised its prerogative, if it created a number of Peers expressly to carry a particular measure. But to return to the exercise of the Crown's prerogative in the reign of Queen Anne. Was there, he begged to ask, one single constitutional writer, who, speaking of that event, did not term the then creation of Peers an illegal and unconstitutional exercise of that prerogative? If reference was had to the debates in the House of Commons which took place when a Bill was brought in to regulate the Peerage in the reign of George 1st, it would be found that the strongest feelings were expressed in its reprehension. Indeed, the feeling at that period on the subject might be estimated from a perusal of a portion of the first Message which George 1st sent down to his Parliament on his accession to the Throne. Alluding to the Peerage Bill then before the House of Lords, George 1st expressed himself thus:—'His Majesty being informed that 'the House of Peers has under considera- 'tion the state of the Peerage of Great 'Britain, is graciously pleased to acquaint 'the House that he has so much at heart 'the settling the Peerage of the whole 'kingdom upon such a foundation as may 'secure the freedom and constitution of 'Parliament in all future ages, that he is 'willing that his prerogative stand not in 'the way of so great and necessary a work.'* So here they had the King telling his Parliament, in consequence of that abuse of this power, which had been committed by his predecessor—trifling as it was compared with the deluge of ennobled Gentlemen, with which they were threatened—that he had the improvement of the Peerage 'so much at heart, that he was willing 'his prerogative stand not in the way of 'so just and necessary a work.' Lord Cowper, too, in the debates of that time made use of these expressions:—'His 'Majesty's object was to secure the free'dom of our Constitution, by preventing, 'for the future, the abuse of one of the 'highest prerogatives of the Crown; of 'which they had had an instance in the 'last reign, which had given just offence 'and terrible apprehensions to all sober'minded people.'† He trusted this lesson, would not be lost upon the House. He hoped no Gentleman would desert his duty, as a Representative of the people, to add to the numbers of the House of Peers; he should regret to find, that the object of any Gentleman, in voting for this measure, had been to advance himself to the other House. He knew that the consequence must be, a desire to limit—as it would then be high time to limit—the just prerogative of the Crown, which he, for one, should never be desirous of doing, if it were constitutionally exercised.

Mr. *Wason* trusted, the House would permit him to say a few words, strictly confining himself to explanation. The hon. and learned Member had entirely misrepresented his opinions respecting the weekly voters, to whom he objected quite as much as the hon. and learned Member, although, probably, for different reasons. He would now state exactly what occurred relative to the clause disfranchising all except half-yearly tenants; for in the first Bill the voters were to have been quarterly tenants. He received a private copy of the Bill on Saturday evening; and on turning to the 10*l.* clause, he immediately perceived the alteration which had been made from quarterly to half-yearly. On Sunday he wrote to the noble Lord, the member for Devonshire, stating that there was scarcely a family settlement of house-property in the kingdom where the rents were not received quarterly, and he had instanced a property with which he was connected, situated in Liverpool, amounting to about 10,000*l.* a-year, for which not a single tenant would have the right of voting, all the rents being paid quarterly. On the Monday following the noble Lord assured him the clause should be altered. It was not until the Wednesday after that day that any representations could have been made to Government upon the subject by Political Unions, and therefore Ministers could not have bowed to the dictation of those Unions in the manner described by the hon. and learned Member.

Mr. *Robert Grant* sincerely sympathized with his hon. and learned friend in looking with deep anxiety at this concluding stage of a measure fraught with such important consequences to the whole empire. He also agreed with his hon. and learned friend in thinking, that this question demanded to be treated with the greatest coolness, and the utmost propriety of demeanour, such as his hon. and learned friend had advocated, and which the learned member for Rye had beautifully illustrated. But with all respect for his hon. and learned friend, he would ask him, whether there was any necessity, at this stage of the business, for dragging the House back to every petty difference, and reverting to all the trivial and paltry details, not only of this, but also of the other Bill—debating all the dots over the i's, and crosses upon the t's, even in that which had been superseded by what his hon. and learned friend admitted to be a better Bill. But, not content with introducing these topics, which could serve no purpose but to aggravate passion on a question which peculiarly required coolness, and caution, and temper, his hon. and learned friend had also brought in every party topic that had been raised since the present Ministry came into office. He should not follow his hon. and learned friend through those minutiæ, but should confine himself to that which was really the question before the House—namely, whether this Reform Bill should, or should not, be read a third time? His hon. and learned friend had anxiously endeavoured to expose all the differences between the

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* Hansard's Parl. Hist. vol. vii. p. 590.

† Ibid. 591.

details of this Bill and the former one; but did he recollect the observation of the right hon. Baronet, the member for Tamworth, who said, that all the principal alterations in the Bill had been forced upon the Government by the hon. Gentlemen at the other side? If that were the case, was it fitting or was it just that the Ministers should now be taunted with having made the alterations required by their opponents? His hon. and learned friend had referred to the flame which this Bill had already spread through the country; and he argued, that much worse consequences might be expected from its future operation. But it was not fair to assume that the agitation consequent upon the discussion of an important measure, must necessarily continue and increase when the discussion was done. What claim said his hon. and learned friend had this Bill upon the country? He was far from wishing to make such an important discussion the vehicle for party accusations. He did not blame the last Government, but he thought it scarcely right that those who had quitted the helm, when the country was in a state of great agitation on this very subject, should turn round, and say to the present Government, "This flame and this commotion is all your work." He would beg to state a few of the reasons which rendered him a cordial, and, as far as his powers enabled him, an active supporter of this Bill. He could not, at any stage of this question, exclude from his consideration that which his hon. and learned friend seemed desirous to exclude from it altogether—namely, the object of giving contentment to the people of England. His hon. and learned friend said, that the true way was, not to look to popular applause, but to do what was right, and look for a higher reward. He considered it one of the first duties of a government to give satisfaction and contentment to the people; and in this view he should take the liberty of stating with what sort of feeling he contemplated the whole of this subject, and why he had adopted the determination which he had done respecting it. It was impossible to shut one's eyes to the fact that the country was in a state of intense excitement, long before the present Government came into office, caused by the agitation of a partial question of Reform. He had looked at this circumstance, and he had looked at the constituency of the country, at the state of the Representation, and at the law of Representation; and comparing these elements together, he had come to the conclusion that there must be a considerable modification of the Representative system. There was this phenomenon observable in the present condition of the country, that, with prodigiously increased knowledge, the people exhibited a growing alienation from the institutions of the country, particularly that branch of them which consisted in the system of representation practically established in that House. From seeing that alienation he became convinced that it was necessary to popularise the Representation, so as to produce harmony between the Government and the governed—the Legislature and those for whom laws were made —without which harmony there could be no power in Government, and no success in legislation. The House would allow him to state what he meant by that harmony. He did not look to the ephemeral popularity of the day, but he looked at the institutions of the country, to see if they were calculated to excite disinclination and disaffection amongst the people. When he saw that there was such a tendency in them, and that the law would allow of their being changed so as to obviate that spirit, he said that the House was not only justified, but bound, to make those alterations. The institutions ought to be accommodated to the wants of the people, and, therefore, he would not consent to the doctrine of his hon. and learned friend, that they should not look to what the people wished. He could not help calling the attention of the House to what, he had no doubt, would be found a very satisfactory passage on this subject, particularly as it proceeded from an able writer, and an accomplished lawyer. The author to whom he referred had observed, that a law, almost immediately after its being made, was reduced to a nullity by the practice; and he made this remark, which was applicable to this specific measure, as well as proving the necessity of adapting laws to the wishes and feelings of the people. The passage to which he referred ran thus:—"This should operate as a lesson to the Legislature not vainly to oppose the current of general opinion; for, although it might be diverted for a time, it will regain its old channel, in spite of accumulated Acts of Parliament, which become a dead letter, and have a tendency to bring the most wholesome laws into disrepute." This passage was from one of the admirable works of his hon. and learned friend opposite. It was vain to hope that they could by laws resist the mind of a nation. They must base their measures in the feelings, the interests, and the affections of the people. He had heard his lamented friend (Mr. Huskisson) say, that one of the greatest inconveniences in legislating for this country now was, that it presented this singular phenomenon, that the higher and the lower classes of society were parting more and more from one another—the higher classes becoming more luxurious—refinement becoming more refined—while the general habits and mode of living of the lower orders were approximating more and more to a state of indigence and destitution. There was, however, this additional phenomenon in the present state of the country, that while the lower orders were diverging from the higher in their physical condition, they were approximating to them in their intellectual condition, which exposed the anomaly of their physical position, and gave them every species of knowledge which their acute perception of their physical ingenuity could fasten upon, and manifested more strongly the evils of their condition. This extraordinary but undeniable state of things led to this result, it aggravated all the distresses of the people and increased their discontent. He hoped he might, without offence, use the words, "if the light of the people be darkness, how great is that darkness?" If the knowledge they possessed only tended to show them in clear colours the depth of their own degradation—if it damped all their energies, and embittered all their thoughts, it might be deplored, but the evil could not be removed by dry maxims, or often-urged reasoning. No! the House must give the subject its best attention, and must not shrink from the proposition of a new measure, under circumstances so novel, merely because the proposition was new; and must be prepared to apply even our most established principles to such a state of things with some modification. The peculiar position had been very much aggravated by the extraordinary effect produced by the late war, and the subsequent peace, which still subsisted. He would not go into that involved question of political economy and statistics, which might be naturally excited by the position he had laid down; but the fact, which no man would dispute was, that the extraordinary excitement of twenty years, occasioned by the last war, had been followed by a period equally extraordinary, which had now lasted nearly as long, and was likely to last longer—a period of great distress—of great prostration of strength—of the utmost lassitude and depression. While thus the capital of the country had diminished, partly in consequence of the destruction which had taken place during the last war, and partly from the circumstances attendant upon the stagnation of all branches of trade and commerce, it had not been followed by that result which might have been expected. The destruction of one portion of capital had been followed by a loss of profits on that which remained: the lower classes, who lived by their wages, were thus placed in a most destitute and distressed situation, and were completely separated from the higher orders of society. He was very unwilling to make use of the terms "higher" and "lower" classes; but it was necessary for the sake of clearness; for every body knew that both were equal in point of political importance—indeed, if there were any difference between them, it was in favour of the lower classes, as they were called. The effect of the state of things which he had endeavoured to describe was, that the Legislature had very difficult circumstances indeed to deal with; the people were viewing the Representative system with great jealousy, and, they were aware, that the Legislature, whether rightly or wrongly, he would not say, for he did not make comments on passing events, had been the authors of those measures which affected them, and which were immediately and constitutionally connected with the subject of Representation—he alluded to the imposition of taxes; and, therefore, they were very jealous of that body whose acts, whether justifiable or not, had produced these effects. It was this state of circumstances which rendered it a matter of so much importance to look narrowly into the state of our Representation, to see whether or not the complaints of the people were justified by the condition in which they were placed. He conceived that the best system of Representation must be, not that which exposed itself to the mere ephemeral influence of popular feeling, but that which was open to that great current of popular feeling and inclination, which was commonly, and very aptly, called by the name of public opinion. If a legislative body were constituted which would be properly alive to public opinion, there was this important fact which hon. Gentlemen opposite entirely lost sight of, that not only would the people influence them, but they would influence the people. It was seen that the Members in whom the people had the greatest confidence, and whom they sent to that House to fight their battles, had the greatest influence with them—that they listened to their advice, and he did not know a more important consideration than that every honest Representative of the people should possess the confidence of, and be in frequent conference with, his constituents. Narrow, indeed, must be the mind of that man who stigmatized this mutual interchange of confidence and good-will by the opprobrious epithet of dictation, when a man pursuing this course of conduct would be fulfilling one of the most sacred duties, without which he would be compromising the honour and the dignity of his station as a Representative of the people in that House. What, then, was the principle on which a newly-constructed Representation should be founded? Perhaps he ought not to say newly-constructed, but a Representation constructed on just, equitable, and constitutional principles. What was the test which ought to be fairly applied to the Representative system, to ascertain whether it was well founded or not? or, perhaps, he should rather say, what test should be applied to ascertain whether the electoral body was founded rightly or wrongly? It was distinctly this—that, inasmuch as the Representatives of the people ought to be selected by that great body, whose intelligence and sentiments on political subjects formed the great current of popular opinion, the election of those Representatives should be substantially placed in the hands of that body by whom they professed to be chosen. He had heard many artificial modes and contrivances suggested in that House, but none which, in his opinion, could equal the simple principle of placing the election itself, generally and substantially, in the hands of those by whose opinions the conduct of the Representatives was to be estimated. All the contrivances he had heard stated for constituting Representative systems devoid of this principle, reminded him of the elaborate and immense undertakings by which the ancients attempted to conduct water to their great cities. Surely, the principle which he had stated was the great principle that ought to be applied to Representation; and if that principle were applied, the system would be found to work well. If this Bill had no other advantages about it than those which were connected with admitting the middle classes—by which term he understood all the respectability, intelligence, and knowledge of the kingdom—to a share in the Representation, that would in itself be a sufficient recommendation. The next topic which had been sometimes fairly and forcibly urged on the other side of the House was this; they were told that after this Bill had passed, the Representative body would do any thing which the very extreme and extravagance of popular opinion might choose to expect. In answer to this observation, he would ask, not whether such and such effects would follow, but whether, with the hope of contenting the people, it was possible, when they asked for a part of their acknowledged rights, justly to say, "We refuse to give you that which we know we withhold unjustly, because if we were to give you more, the great benefits you expect would not follow, and you would, in consequence, be disappointed?" It was said—

> "Of all the ills that human kind endure,
> How small the part that kings or laws can cure."

This sentiment was just; but no Government could fairly refer to or utter that sentiment in addressing the people, unless that Government cured the small part which it was in their power to remedy. As men became more intelligent and enlightened, a much greater body of them ought to be put in contact with the whole process and machinery of the Representation, and freer access to that House should be afforded to those who might be justly considered as the Representative classes of the community. The immediate question was, not so much what consequences were likely to flow from the measure about to be adopted, but whether, it was possible by any other means, to conciliate the immense majority of unrepresented classes to the present state of things; for any measure of intimidation, was, in his opinion, totally impracticable, and it was equally certain that something must be done. He did not expect any immediate or violent convulsions—he hoped they were far, very far, from our happy country—but he must augur ill from the signs of the times, and unless the people were reconciled to their Government, there would be more and more dissatisfaction—more and more aversion to, and alienation from, the institutions of the country—and a state must ultimately ensue which it was terrible to anticipate, and which ought to be looked to in time. What were the opinions held by Mr. Canning on the subject? In his last days, he predicted not, as an immediate consequence, but as one which was on the cards, and in the horizon of prospective policy, that a result would take place, which would begin in distress and madness, and would end in calamity and ruin, which would be pregnant with wickedness and misery, but against which we could not close our eyes, and which all must deprecate and do their best to avoid; namely, a war between property and the mass of the population of the country, in which the mere force of numbers would be arrayed against the wealth of England —against its sacred, noble, and venerable, but defective, institutions. The hon. and learned Gentleman said, that the Representation of the people ought to be restricted and contracted, one-third should be returned by the influence of the Peers, and another third by the influence of the Crown. He would only touch very briefly upon this part of the subject, because the evils arising from our present state of Representation were admitted, and, therefore it was not necessary to say much upon the subject. It was said that nomination boroughs were necessary, because they acted as the portals through which men of talents and ability, who were destitute of pecuniary resources, found their way to that House. But was this a popular part of the existing system of Representation? No; it was, above all others, the most odious to the people at large—whether justifiably or not—certainly very naturally so; and why?—because they knew the Members coming to that House through such means, were sent there by aristocratic nomination, to which the people were very naturally opposed, and which must be called by its proper name; and if it was so called, it was neither more nor less than corruption. He had but one topic more on which he would trouble the House. If such were the wishes and feelings of the people, and if such were the state of the Representation, the next question was, what was the state of the law, and what were the acknowledged principles of the Constitution as applied to the formation of that House? because if the fact was, that the wishes and feelings of the people were not only opposed to, but at direct variance with, the acknowledged constitutional principles of the country, it certainly was high time that the system should be amended, and the wishes of the people complied with. If the present system was constitutional, right and just, he would then admit that there was just ground for refusing to comply with the wishes of the country. But was it so?—was it consistent with the well understood, universally acknowledged, and long established principles? Was that House constituted in compliance with the doctrines and opinions held by every constitutional writer who had applied himself to the subject? An aristocratic influence was exercised in sending Representatives to that House. Was that a principle of the British Constitution? Was that the language of the Journals of that House? Was that the language of the Standing Orders? Was that in accordance with the preamble of, at least, fifty Acts of Parliament, then upon that Table?—or, on the other hand, was it, or was it not, directly in the teeth, not only of the principles which hon. Members professed, but by virtue of which they sat in the British House of Commons at all? He would ask, was there any man who would venture to get up and propose to rescind one of those Standing Orders which forbade the influence of Peers in that House? And yet those Orders were not only totally forgotten when this subject was debated, but it was actually intended to violate every principle of the Constitution — every law of the State. He could only say, that he called upon learned constitutional lawyers on the other side of the House to enlighten his ignorance, if he was wrong in stating that there were some twenty or thirty Statutes in the books of that House, which stated, that the influence of the Crown, or the Peerage, in that House was unconstitutional and improper. Was there not an Order passed at the commencement of every Session, so much a matter of course, that no one ever questioned it, which declared that it was a gross breach of privilege in any Peer to interfere in the election of Members for the lower House?

Were they, then, or were they not, to stand by the principles to be found in all our parliamentary books and eminent writers? Or would they tell the people, that—without altering those Orders—without repealing those laws—they would not adhere to them, for fear of encroachment? Under these circumstances, it was quite impossible that, in this great and enlightened country, the Representative system could remain in the state in which it was at present. Considerable alterations must be made—alterations which, in the truest and evident sense, should give content and satisfaction to the people; and the very worst that could be done was, to advocate that which was called moderate Reform — that which professed to give something, but which, in fact, gave nothing—that which pretended to do much, but which, in fact, did nothing at all. The hon. Gentleman opposite was astonished that he (Mr. Robert Grant) should call this a measure, not of revolution, but of restoration. He had used the term advisedly. Was it an argument to tell the House, as he had done the other day, that these corrupt boroughs had been in the same state in all periods of our history? A question like this was not to be determined simply by counting on your fingers the names and numbers of the boroughs; but reference must be made to the general state of the country, to its wealth, and to the distribution of property in it. And it surely cannot be necessary for him to say, that that which affected to be Representation could not remain unchanged, while the circumstances and condition of the country were so materially altered. It was impossible not to reflect that these boroughs were not originally used for the purposes to which they were now applied, namely, to produce a certain mixture of the aristocracy, and to give an opportunity for the interference of Peers in that House. Everybody knew, that these boroughs were orginally used by the great Barons for patriotic purposes, and that they frequently employed them for the purpose of arming themselves against the power of the Crown, in times when the grossest acts of outrage and tyranny were committed—when corruption and tyranny were defended by force, and when crime and bloodshed found their refuge in a sanctuary. In short, they were at that period the strong holds of rising freedom in a nation of slaves—while they were now the strong holds of expiring servitude in a land of freedom. He would beg, before he sat down, to call the attention of the House to the language which was addressed to the people by the opponents of this Bill, and by the moderate Reformers. They said—"You are so powerful, that we dare not defy you; you are so powerful that we dare not trust you." The people would answer—"If you think proper to trust us, trust us; if you think proper to defy us, defy us; but it is impossible that you can keep us in the extraordinary state in which you would confine us." He would say to the House, do not keep the people in suspense; trust them by passing the Bill, or defy them by assenting to the proposition of the noble Lord.

Lord *Porchester* trusted the House would permit him, before he proceeded to state his opinions respecting the question immediately before them, to make a few observations in reply to the remarks of the right hon. Member who had just addressed the House. That right hon. Gentleman began his speech by asking the hon. and learned member for St. Mawes, what right he had to drag the House again through the discussion of every paltry topic with which they had been engaged for so many preceding months; but he (Lord Porchester) begged leave to ask what those topics, paltry as they were termed by the right hon. Gentleman, consisted of? They were connected with the great agricultural interests of the country, and with the staple pursuits of the kingdom. He (Lord Porchester) should have believed, unless informed to the contrary by the right hon. Gentleman, that these topics were of great importance to the great body of the people; that they were connected and identified with the interests of the community. At all events they were of the utmost consequence to the landed interest, a body which deserved much more attention from Ministers than on any occasion hitherto they had thought fit to afford it. That interest would not feel very much gratified with the remarks of the right hon. Gentleman; for the apparent object of the Government, of which he formed a part was, to depress the agricultural community. The right hon. Gentleman had proceeded to ask, whether it was fair to charge the existing Government with the excitement which unfortunately prevailed throughout the kingdom? He (Lord Porchester) ever felt himself most unwilling to make any observations which might appear offensive to any member of the Administration; but the right hon. Gentleman must excuse him if he said, that on that point he looked rather to the conduct, than to the professions of his Majesty's Ministers. They unquestionably succeeded to office under difficult and embarrassing circumstances, but was their conduct on their accession to their situations as advisers to his Majesty, such as was calculated to appease the excitement which at the period was so strongly marked on the public mind? Was not their conduct more calculated to maintain and foster revolutionary excitement, than to appease and mollify the fever which raged in the blood of the people? They brought in, in the first place, a measure of Reform. It was deemed advisable to take the sense of the people on this measure. But how was that appeal made? Instead of referring the question of Reform to the deliberate judgment of Parliament, they appealed to the excited passions of the people. They bribed the people with offers of immense political power, and, in defiance of all proper feeling, openly and avowedly enlisted the King's name in favour of their measure. Not only did they appeal to the natural fervour of the human heart, by statements of alleged wrongs and promised justice, but by an illegal and unconstitutional use of the King's name, the influence of which on certain classes might well be conceived—they excited the most violent passions and most maddening sentiments in the breasts of the unthinking people. The right hon. Gentleman said, that it was the solemn duty of Government to take means for securing the content of the people. Unquestionably such was the case; but was it their duty to place themselves at the head of the extravagant opinions of the day, opinions which, if consented to, and acted upon, they then knew must involve the ruin of the settled institutions of the country. He maintained that it was the duty of Government to yield slowly to change, and to avoid, as much as possible, the effects of precipitate innovation. If they were obliged to concede, they ought to enter slowly upon any change, in order that the people might be able to bear the new light, instead of being dazzled by its sudden appearance. The right hon. Gentleman said, he dreaded very much collision between property and numbers, and then told the House that the Reform Bill was to obviate the danger of such collision. But it appeared to him (Lord Porchester) that this Reform Bill would have quite a contrary effect; in fact, it would realize that which the right hon. Gentleman apprehended. If the House acceded to it they would place at variance the property and interest of the country on one hand, and the people on the other. The right hon. Gentleman had subsequently alluded to the Standing Order prohibiting the interference of Peers in elections of the Members of that House. He was aware that there was a Standing Order of that nature on the books of the House; but he begged to ask if it was not a virtual infringement of another Standing Order to publish the debates which took place in that House? [*cries of* "*Oh! oh!*"] He begged to be understood. He was far from favourable to the enforcing of such an order. He adverted to it with a view of showing that there was such a Standing Order; but no hon. Member was ever heard to raise his voice against that order, while night after night, day after day, and week after week, allusion was made to the order respecting the interference of Peers at elections. The right hon. Gentleman then said, that one of the reasons which made it incumbent on the House to pass this measure of Reform was, the connexion that ought to exist between that Assembly and the people. Why, if a popular cry for Reform was alone sufficient to justify a departure from the established institutions of the country, they ought, for the same reason, to have departed from them some twenty or thirty years ago. He begged to ask that right hon. Gentleman, what was the language addressed to that House on the subject of Reform, when first that question was submitted to the consideration of the Legislature? was it not, "Reform yourselves from within, or you shall be reformed, with a vengeance, from without?" This was the tone in which the Parliament of that time was addressed; it was told that Reform or civil war was inevitable. But England had at that time a Government which would not brook the language that was held out to the House. Reform was not conceded, yet civil war was averted. He could direct the right hon. Gentleman's attention to the still more alarming state of public affairs which occurred in 1793—that awful period when France was convulsed with the most dreadful phrenzy, which excited the revolutionary feelings of this country—when those formidable associations that now existed were also established, and when they were, as now, supported by eminent persons in this realm. What was then the conduct of the illustrious man who, in that extreme moment of national peril, swayed our destinies? Why, he pursued his even course, undaunted by the tempest that raged around him; he responded to the feelings of the nation, but obeyed not the voice of the demagogue. That was the course pursued by that great and good man, who then stood at the head of affairs in this country —not forgotten, indeed, but lost to his country—lost, as far as his services were concerned, but whose memory would flourish in the affections and hearts of all to whom the liberty he preserved, the civil peace he secured, and the Crown he maintained—but maintained, perhaps, in vain—were dear. That great and good man, whose better policy preserved him from sharing in the delusion of the times, gave the people time to reflect and ponder on passing events; he turned their thoughts to a nobler object; he told them to take a pride, not in attacking, but in defending the institutions of their fathers.

> "Curbed their wild zeal, restrained their fiery mood,
> And bade them look to what was wise and good."

He would now proceed to make a few observations upon the merits of the Bill; and he must express his belief that the greatest peril to be apprehended from it was involved in the Representation of the large towns, the Members for which would be, not only formidable from their numbers, but still more formidable in a moral point of view. After passing the Bill, Ministers could no longer look upon the county Members as the influential body they had been considered till now. The Representatives, or rather the delegates, of the great towns—animated by the same views—acting systematically together—supported by their numerous unions—speaking the extreme opinion of their constituents—watched by committees appointed to examine into their conduct—exposed to the feelings, the interests, the prejudices of their constituents—would be the men to whom the Government would have to look up. These would be the iron men who would hereafter govern the Government, and direct the destinies of the empire. When the present Representatives of the nation were on some future day struggling for life, fortune, and family—for their altars and their homes—and when they were confronted by that band of republican opponents, they would then regret the change which they had sanctioned by a rash assent—they would then reflect that

> "An erring hand may scatter in an hour
> The mighty fabric of imperial power."

Ministers deceived themselves in anticipating the effects of the Bill, and when they saw the ruin which would ensue, they would regret the madness of their misguided zeal. It appeared to him, that so far from adding strength to our councils, it would produce the most shallow and fluctuating policy that ever enfeebled the energies of a people. Government, instead of being judged by its general policy, would be estimated by the course it followed on subordinate questions, and Members would be continually harassed by the demand of pledges at the hustings, and an inquisition into all the details of their parliamentary conduct, on the ground of responsibility. The honest pride of independent feeling would be despised. The ancient titles of Whig and Tory would be substituted by the agricultural and manufacturing interests. Those two interests would meet in that House as on a field of battle; disputes would almost amount to personal quarrels, and calm and disinterested deliberation would be forgotten amidst the squabbles for wealth and power. Now, an equal and impartial mingling of all the great interests of the state in that House, with the presence of many men of talents not connected with any one interest exclusively, gave a tone of calmness to discussion which hereafter could not be hoped for. They were about to destroy the means by which men of talents found their way into that House, who founded there the beginning of their greatness, and afterwards applied their well-earned wealth and reputation to support the institutions which had first raised them from humble obscurity. This Constitution, great and glorious as it was, splendid and renowned as it was in the history of the world, was now about to be madly, rashly, and unsparingly destroyed, and with it that extraordinary union of the different interests of the kingdom to which he could trace the cause of the unexampled success of the Government of this country. His hon. friend, the member for the University of Oxford, observed, very justly, a few evenings ago, that Reform must be considered, not only *per se*, but with reference to those institutions which it might be likely to affect. But was it possible to believe that, after the passing of the Reform Bill, the Protestant Church of Ireland would maintain its present situation—and was not the Sovereign bound by a solemn oath to protect that Establishment? If the Sovereigns of this country persevered for so many years in refusing to accede to the great, and, as he thought, just measure of Catholic Emancipation, because, in their opinion, it seemed to militate against some principle, which, although not laid down, was involved in the Coronation Oath, would not their successors consider themselves bound in honour and faith to maintain that Oath, and refuse to accede to an arrangement which was clearly and indisputably opposed to the royal head? In what position, then, did they place their Sovereign, bound, as he was, by the most solemn pledges, to protect that Establishment, but unable, as he probably would be, to resist the pressure, which, through the medium of a Reformed House of Commons, would be effectually brought to bear against him. Certainly these considerations ought to have some weight with the right hon. Secretary for Ireland, who, if he misunderstood him not, on a former occasion pledged himself never to lend his powerful aid to any measure that he might consider injurious to that much calumniated Church. He entreated the House to consider well what would probably be the immediate effects of Parliamentary Reform in Ireland. They were now transferring political power from those who loved, to those who did not love the Constitution—from men anxious to preserve the legislative union with this country unbroken, to those who would rend it asunder with remorseless hands. They were breaking down all powers of resistance, and all hopes of security—abandoning a people who would still adhere to them, who clung to them for safety and protection, whose attachments, whose prejudices, nay, whose very faults and excesses were all with them, and for them. Were they not, then, depriving themselves of their own resources, rendering themselves powerless, rejecting that without which the British bayonet would be as the wave upon the rock, which, dashing against it, produced clamour and confusion, but hurting not the solid mass against which its fury was directed? Was this wisdom? Was it not weakness, or, rather, was it not madness? There was a great, a noble peace-offering given to Ireland, in the shape of Catholic Emancipation, but the acts of his Majesty's Ministers had rendered that peace-offering ineffective—they had re-kindled the ashes of a fire which would have been speedily extinguished, and, by doing so, they had founded one great cause of commotion in that unhappy country. As soon as Ireland presented a prospect of peace and quiet, they supplied it with another theme of tumult and discord, by the agitation of the question of Parliamentary Reform; and, if to the increased influence of the democratic party in Ireland was to be added the Scotch Representation, mischievous, indeed, would be the results which would flow from the system it was proposed to introduce. When he looked to the history of Scotland, and found, that, so far back as the time of Charles 1st, the Scotch Parliament boldly stood forward and expressed their opinion — when he found that they boldly declared that the King had absolutely forfeited his Crown—when he saw this spirit lighting up every page of Scottish history—when he looked to the conduct of the Peers of Scotland—when he took into consideration the high and noble spirit of its people—when he saw, that long before the period to which he had alluded, the liberty of the subject was recognised in Scotland to an extent which was then unknown in any other country, he was irresistibly led to draw the necessary inference, if any deduction could be drawn from these circumstances, that the anti-monarchical spirit, so far from diminishing, would be increased to an alarming extent. The prosperity of Scotland was not mainly owing, as the hon. Gentleman opposite would have led them to believe, to the operation of the influx of a popular constituency. He was far from saying that no change whatever should be made in the Scottish Representation; but, he certainly did think, that the abolition of the old system, and the substitution of a popular constituency in that part of the kingdom would be attended with the very worst and most dangerous results. He would not detain the House five minutes longer; but he was desirous of troubling it with a remark on a topic which had now become rather old—the French Revolution. The first French Revolution was produced, in the first instance, by too much concession on the part of the Crown to the demands of the people. He need not remind the House of the result—it never will be forgotten. But there was one part of the subject which bore a striking analogy to the present case, and had not yet been touched upon, and which could not fail to strike home to the feelings of every hon. Gentleman who heard him—he meant the effect of the concession, not of the Crown, not of the aristocracy, but of the Legislature itself. The National Assembly of France, at that period, contained men as talented and virtuous, in both their public and private capacities, as any who sat in that House; and yet they, as a body, advocated the policy of committing an act from which, as individuals, they would have recoiled with horror and disgust. On that memorable night, when, after the death of Robespierre, the indignant members of the Assembly required some national atonement for the atrocities that had been committed—when they demanded that the most execrable minister that ever existed should render an account of his crimes, what must have been their horror when the blood-stained monster—his hands reeking with the blood of the virtuous and the brave—produced the written sanction of the very Assembly which had turned upon him for all his atrocious and sanguinary acts? And yet that Assembly contained men as virtuous, as humane, and as honourable, as those he had now the honour of addressing; but, conceding in the first place, without sufficient cause, bound down afterwards by fear and terror — they were driven along their blood-stained path, the unresisting, though reluctant, agents of the power which they had themselves created. What must have been their feelings of shame and remorse—of self-upbraiding—for deeds of disgrace and horror, committed too soon, and repented too late, when their guilty leader, their wicked companion,

> "——— Perished by the justest doom
> That ever the destroyer yet destroyed?"

Oh! might a British Legislature never look back upon the path they had trod with useless sorrow and unavailing remorse! Might they never feel the pangs of conscience and self-upbraidings which the virtuous, but erring, members of the French Assembly endured, when they saw the blood flow from the noble and the brave of the country, while they had the will, but, alas! not the power to save them! Before he sat down, he would notice an argument which had been so unsparingly and frequently urged on the other side of the House—namely, that the boroughmongers forced the country into the last war, and that war was, therefore, owing to the defective Constitution of that House. But was not the late French war the most important in which this country was ever engaged—in unison with the popular feeling, and was not the conduct of Mr. Fox hailed with joy and enthusiasm years after the commencement of hostilities? Was it considered as attributable to the defective Constitution of that House, when the Minister, as he returned from the conclusion of the peace, was received with cheers, and every possible demonstration of public applause, when congratulatory addresses poured in upon him from every part of the kingdom, and when the cry of the nation was in favour of that Constitution which had produced such glorious results? Who was it that would have plunged this country into unnecessary, and, perhaps, interminable hostilities with France some seven or eight years ago, not at a period when the exuberance of national valour and impatience might be forgiven in the excess of national prosperity—not at a time when our finances were unimpaired, and our Treasury was overflowing, but at a period when distress was throughout the land—when it paralyzed every interest, and depressed every branch of trade and commerce? By whom was the propriety of embarking in hostilities advocated at that period? It was advocated, he had no doubt conscientiously, by men of talent, and by men of honour—not by the Government, however, but by stanch Reformers. He was not alluding to his right hon. friend, the member for Hampshire, who brought the subject forward with so much ability—he did not actually recommend a war, certainly, but it was recommended, notwithstanding, by some of the most distinguished members of the Reforming Cabinet. When, therefore, the French war, and all the expenses attendant upon it, were charged to the state of the Representation, he hoped that hon. Members would remember, that the same state of Representation had sanctioned a war demanded by the Reformers and by the passions of the people. He would say no more than that he conscientiously opposed this Bill because he sincerely believed, that, if it were passed, it would seal the doom of the monarchy.

Sir *John Hobhouse* said, that he could assure the House, as well as the noble Lord who had just sat down, that the same disinterestedness which had prompted the noble Lord to give vent to his opinions would mark the observations he should offer. He trusted that he might be allowed, however feebly, to express his opinions on the subject now before the House—opinions not now taken up for the first time, not for the occasion, but opinions which he had long formed, and been able to form, from his education—an education which, thank God, was now open to every man in a fair condition of life who had been born on this happy soil. He must be excused for saying (and he did so with all due deference to the noble Lords and right hon. Gentlemen opposite, and to their characters and opinions), that nothing he had heard, during the whole of the long discussions on the question before the House, had shaken his conviction upon that question. He begged to repeat the words of a great Reformer, in the present as well as another way (he meant Mr. Wilberforce), who had said, in a speech upon this very question, "that hon. Members were so afraid of innovation, that they would not go into any new argument." He repeated that the hon. Gentlemen had offered no new argument in opposition to the Ministers. They had tried to frighten the agricultural interests. They had tried to frighten the funded interests, the people, the King, Lords, and Commons; and doing all this, they had charged the Government with attempting to intimidate; whereas the fact was, that not a single argument had been used by the opposite side of the House, but with a view to terrify the Government from that which they and the people of England thought, not only right, but actually indispensable. The effects of their attempts to terrify had happily been the reverse of what was expected. A reference to the Members elected by the counties would show that they did not respond to the patriotic feelings of the hon. and right hon. Gentlemen opposite. The agricultural interests, therefore, were not terrified by their efforts, for it would be found that no less than seventy-six Members for counties had been returned to vote for this very Bill. The opinion of the funded interests could not be made so palpable, but it was evident that they had not been alarmed (though he was not sure if the right hon. Gentleman, the ex-Secretary to the Admiralty, was a fundholder, from the tenor of his observations); but if the right hon. Gentleman felt alarm himself, his panic had not been responded too, as was evident from the state of the funds and fundholders now, compared with their state at the period when the present Government came into power. He thought that when the Reform Bill or cause of Reform as connected with the present Government became the question with the country, then it had been seen that the three per cents in England, in spite of the efforts made by right hon. Gentlemen opposite, had not only stood the terrors of the Reform Bill, but the terrors of the opposition. The noble Lord opposite (Lord Porchester), the eldest son of a noble house, alluded to the agricultural interests. He begged to ask the noble Lord if the interest he had advocated sympathized with the noble Lord and his friends on this question. He would plainly tell the noble Lord they did not. It had been said, that one county (Dorsetshire) had manifested this feeling, and the noble Mover of the Amendment (Lord Mahon) had referred to it "with pride and pleasure," as an exception to the other counties of England and Wales. He (Sir John Hobhouse) did not regret the result of that election; it was a triumph gained, and he was proud it had fallen upon such a head as it had done, and he was perfectly willing to give the hon. Gentleman opposite the advantage of that fact. It was in vain to say, that the county Representation was a proof of hostility to the measure, or that its support was gained by Ministers under feverish excitement. This last, of all others, was the strangest argument that had been used, particularly coming from Gentlemen who, when the Catholic question came on, in the year 1829, called upon the Government to dissolve the Parliament for the special purpose of applying to the people for their opinions upon the subject. The hon. Baronet, the member for Oxford University, had used that language; and had on that question repeatedly said, that Parliament not being called upon to try whether or not Roman Catholics should be permitted to sit in that House, and be relieved of the disabilities under which they laboured—that Parliament not being called *ad hoc*, the people should be called on for their opinion, and when they had given their verdict, that then, and not till then, should the Government come forward with their measure. But the present Government had been charged with making use of the king's name. That was not true: but supposing it were, did it deserve what was said of it? Was it a novelty in the history of our Constitution? Was it not justified by precedents? He would not go far to seek them—not beyond the time of the Gentlemen who might be called the political fathers of the Gentlemen opposite. What did they think of the dissolution of 1784, which took place against the positive sense of the House of Commons? On March the 24th of that year Parliament was dissolved, because Mr. Pitt had only a majority of forty-eight. The Crown made an appeal to the people, and, after the election, the Ministers had a majority on the first division of 282 to 114. Only one person, Mr. Burke, attacked the dissolution; and its defence was undertaken by Sir Archibald Macdonald, who said, that when the state of the House was such that two contending parties were nearly equal, that was exactly and precisely the case when the Royal prerogative should be called into exercise. But what happened in 1807? In all the essential circumstances of the case that was precisely like the last dissolution. The Parliament had been sitting but four months; the country was involved in foreign war, and Ireland was threatened with rebellion. The Ministers, on a division, had a majority of forty-six. At that dissolution, what said the King's Commissioners?—" We are further commanded to state to you, that his Majesty is anxious to recur to the sense of his people, while the events which have recently taken place are yet fresh in their recollection. His Majesty feels that, in resorting to this measure, under the present circumstances, he at once demonstrates, in the most unequivocal manner, his own conscientious persuasion of the rectitude of those motives upon which he has acted, and affords to his people the best opportunity of testifying their determination to support him in every exercise of the prerogative of his Crown, which is conformable to the sacred obligations under which they are held, and conducive to the welfare of his kingdom."* After this, would any of the Gentlemen opposite—who, if they were anything, were the children of these their political fathers—would they say, that when the Ministers could not carry a great political principle, that they were to blame for exercising the King's authority, and that they had put the prerogative of the Crown to a use to which it ought not to be applied? One of the Ministers of that day, Mr. Perceval, the then Chancellor of the Exchequer, was charged with writing an inflammatory address to his constituents just as the noble Lord, the present Chancellor of the Exchequer, had been charged with writing to his constituents. And what was said by Mr. Perceval? that distinguished individual, in reply to the charge, when the Parliament met, simply asked, " if the cry was false, how came it to run like wildfire through the country, and produce such an effect as no speech of his in Parliament, nor his address to his constituents at Northampton, nor any speech from the Throne had ever done? It had produced the effect because, it was true." That was Mr. Perceval's answer to the charge of making use of the King's name, and of exciting the people. At the conclusion of the report of the debate, which took place on this letter of Mr. Perceval, he found a note to which he begged to call the attention of the House. It was as follows:—" Mr. Croker spoke for some time with much animation, in answer to Lord Howick and Mr. Grattan, and concluded by supporting the Ministers in their dissolution of Parliament." He referred to these extracts merely with a view to show that his Majesty's Government had resorted to the best authorities before they adopted the line of conduct which had been spoken of, and they had at least a precedent if not a justification, for the course which they had pursued in what had been done in the olden times, even in the memorable days of Charles 1st., with the details of which he would not trouble the House. He admitted he had been at first much shaken when he saw men of high talent and character entertaining doubts upon this measure; and if he thought there was any thing like innovation, or one-tenth part of the danger stated by some right hon. Gentlemen opposite as likely to ensue from this measure, he would give it up. He regretted with the hon. and learned member for St. Mawes—and he honoured him for the sentiment—that this question had not been discussed so as to meet the feelings of all parties. After the most mature consideration, if he thought the Bill would produce all the evils the hon. Members opposite ascribed to it, he would give it up to-morrow. Good God! could they contemplate with cold hearts those threatened evils? If he thought they would arrive, he would say, retrace your steps. He regretted that it could not be based on principles which would promote an amicable settlement. Language could not express the vast importance which he ascribed to this subject; it was a vital question, and he regretted that all parties could not have come to an amicable adjustment of the greatest question, perhaps, which any deliberative assembly had to discuss. But the state of the country would not permit it. He blamed nobody. It was the misfortune of England to be governed by parties. The Reform Bill was the act of one set of Ministers, who had shortly before acceded to power, and it was discussed as a party question. He said that the country felt that it had been discussed as a party question [" *No, no*"]. Well, then, that was his opinion. He did not make any charge he was only stating a fact. One party proposed the measure, and another resisted it. The Administration had scarcely taken office when strange questions were put to, and personal charges brought against, individuals composing it, showing that it was to be treated as a party. What, too, was the conduct of the opposition on the Budget? What happened also on the question of the Timber Duties, when the Government was only endeavouring to carry into execution the recorded designs of the Gentlemen opposite? That ran through their whole conduct; he might refer to the sugar duties and the Russian-Dutch loan, concerning which a right hon. Gentleman asked an important question on the very night that the Reform Bill stood for a second reading. Could the Ministers, with such an opposition, make concessions? It was not possible. It was said if the present question was not a party one, why not have met it half way, so that the country might be satisfied? Why, it was impossible that the Government could have done that with such an opposition. It was a mockery to think it. The Government would have been laughed at by their opponents, and become the joke of the lobby itself. They would have been laughed at by all the green and blue box-men even, and their conduct would have been described as childish, silly, and contemptible. He was surprised to hear some of the observations of the hon. and learned Member the other evening, and he could not imagine where he had been keeping his political sheep, or in what Arcadia he had been dwelling, when he talked of conciliation. What! conciliate an enemy, modify the Reform Bill with Gentlemen who were only trying to trip up the heels of the Administration! The Opposition had appealed to the passions and feelings of the House, and had called into action all the rules of tragedy and poetry as laid down by Aristotle. The right hon. Baronet, the member for Tamworth, engaged in the no-pleasing task of keeping together his almost beaten party, and the right hon. Gentleman, the member for Harwich, who stated, he " was armed too strong in honesty" and so forth, ought to have come boldly forward with their opposition to the Bill. Then the right hon. Gentleman poured forth his profound soul, and gave his plan; and what did he say? " You are for giving every thing, and I am for giving nothing." And now the right hon. Gentleman must excuse him for imitating him a little in taking the argument of the hon. member for Calne, who had taunted them with having no plan to propose; but now it appeared that he had a plan to propose. Well, was he entitled to say, to those who should throw ridicule on his plan, not merely " *ingrata patria*," but " *ingrati omnes*," since thus was treated his plan, which—hear it—was just this—not to alter the number of Members returned to Parliament. They were grateful for small matters, and he felt his share of the gratitude to be great. The question now before the House was, not by any means that which had been put by a noble Lord (Valletort) the other night, when he said, that he wished to see such an alteration in this Bill as would enable him to cross the House and support Ministers, which, too, if the Bill were altered as he wished, the noble Lord had magnanimously and gallantly said he would do even though he were alone. The question, in point of fact, is not what kind of Reform we are to have, but whether we are to have Reform, or the right hon. member for Tamworth in office, with his Reform—that is, no Reform at all. Unfortunately, politics and principles were so mixed up with individuals, that the question in general was, not what principles were to guide, but who was to be the Minister of the country. The right hon. Gentleman had said, that it would be better to leave matters as they were than to expose the country to the danger which must result from perpetual changes of Administration. An instability of Government was always an evil. The right hon. Baronet opposite had himself allowed that on a memorable occasion he had preferred taking a step not consonant to his wishes, rather than break up an Administration by withdrawing from it. But even if his Majesty's present Government were thrown out of office, did any one suppose that it was possible to form a Government in this country of which the leading principle should not be Reform. He was not aware of any middle course that could be taken; and there must be either a Government on the old principles, under which it was said they had flourished so much; or a Government on the principle of that the ministerial side of the House, founded above all on the basis of free Representation. And now allow him to allude to the manner in which the Bill had been opposed, and he would take the right hon. Gentleman (Sir Robert Peel) as an exemplification. The right hon. Gentleman had at one time complained of the raising the qualification of borough voters, and then concluded by deprecating pauper votes. Another time he had said, that the Government had not adopted any of his suggestions, while again in a short time he said, that they had all been taken. Then came the charge of revolution, which came strangely as an accusation from those who lauded the Revolution of 1688. That the Bill was a change there was no doubt; but what state had ever reached greatness that had not frequently changed, or as Macchiavelli expressed it, which had not recurred to first principles. It had been said, the other night, that not only would the House of Peers be destroyed, but that the Throne would be upset; this was urged as a menace not to be misunderstood, as references were made to James 2nd, with some hints given to the King now upon the Throne. But he (Sir John Hobhouse) would say, that this was a revolution better than that of 1688. We were not going to cashier a monarch, we were not going to change from James to William; we had our own William; and the only change was that of Gatton and Old Sarum for Manchester and Birmingham. It was only that change long wished for in England—that of having a Parliament responsible to its constituency, instead of an irresponsible Parliament. The hon. and learned member for Boroughbridge had gone a little too far the other night with respect to the other House of Parliament, for we were to presume that they would act rightly. They had exercised a sound discretion before and, he trusted, that they would do so now. But there had been so much said of the House of Peers—it had been so constantly repeated that the English Peers should avoid the fault into which the French peers had fallen—that he could not avoid saying a word or two upon that topic. The right hon. Gentleman had talked to them of the fault committed by the *noblesse* of France early in the revolution, and remarked that by their yielding too soon they lost every thing. When he (Sir John Hobhouse) heard this, he thought the right hon. Gentleman had not read history aright, and the fact was so. Unhappily for the French peers, they took the contrary line, and took their stand upon privileges which had grown obsolete. On this subject he would beg leave to read a passage from the work of a distinguished lady—Madam de Stael. When the illustrious daughter of Necker composed her reflections on the principle events of the French Revolution, it was not at a moment when passions or prejudices were in a high state of excitement, nor was the work written in her early life, but when her judgment was matured, after the restoration of the House of Bourbon. The passage was this:—

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* Hansard's Parl. Debates, vol. ix, p. 552.

"The minority of the *noblesse*—that is to say, more than sixty members of the most illustrious birth, and partaking by their genius the intelligence of the age—were also of opinion that it was proper to deliberate by number, and not by order, on the future constitution of France; but the majority of their brethren, together with a portion of the clergy, although they showed themselves more moderate, refused, with an unheard-of obstinacy to adopt any mode of conciliation. They did, indeed, declare that they were ready to renounce their exemption from taxes, but nevertheless at the opening of their Session they chose to treat that which the whole nation considered as their right, as if it were merely a subject for negotiation. Time was lost in wretched quibbling, in polite refusals, in new difficulties. When the *tiers etats* raised their tone and displayed their force, that force which consisted in the will of the nation, the court *noblesse* all-accustomed as they were to bend to power, gave way; but when the crisis appeared to be past, they re-assumed their arrogance, and began again to talk of the *tiers etat* as if they lived in the time when the serfs solicited their franchises from the hands of their territorial lords. The smaller nobility of the provinces were even less tractable than the great Lords. The latter felt a security guaranteed by historic recollections; but the former, with titles scarce known except to themselves, saw that they were on the eve of losing distinctions which now imposed on no one. To hear them talk of their rank, one would have supposed that their patents dated from the creation of the world; whereas all the world knew that they were of very recent origin. They considered their privileges, useless as they were to all but themselves, in the same light as property, on which the security of all is necessarily founded.

Privileges are sacred only when they contribute to the public good; in order to preserve them, it is indispensable that we should have recourse to reasoning, and they cannot be really stable except when consecrated by public utility. But the majority of the *noblesse* contented themselves with these words, 'It was so formerly.' It was in vain that they were told that former circumstances had brought about the events of former days, and that present circumstances had produced those of their own times. Nothing could convince them; they laboured under a certain aristocratical fatuity, inconceiveable except in France—a mixture of frivolous manners with pedantic opinions and all combined with the most complete disdain for superior intelligence and for genius, except indeed when that genius chose to stultify itself, that is to say, employed itself in the attempt to force back the march of human reason."

This passage showed, not that the concessions of the French peers had been too early, but that they had been too long delayed—delayed until ruin was the consequence. There were three more lines from the same work, which he requested permission also to read:—

"The majority of the *noblesse* finding itself, in 1789, abandoned by intelligence and talent, indiscreetly proclaimed the necessity of employing force against the popular party. We shall see if there was any such force then in existence: at all events we may say, beforehand, that if it did not exist it was very imprudent to threaten it."

So much for the French Revolution, which the friends of freedom had more cause to deplore than their opponents, who always held it up as a ready example to scare the lovers of liberty from an attempt to attain it. This, he hoped, would be a lesson to some of the illustrious persons in the other House of Parliament, and sincerely given, not to terrify, but to set them right with respect to the misrepresentation which was so industriously circulated. He or his friends did not use such terms as those of the right hon. Gentleman (Mr. Croker)—namely, calling the people of England a populace, saying that they were like wild beasts, insatiable, and would run headlong until there was a general war. These terms had been used by that Gentleman, and particularly that of "deluging with blood" seemed a favourite. Such phrases as these might do for an article in a Review, or might have answered in a packed Parliament, but they would never do in that House again; and the right hon. Gentleman belied his genius, and degraded his talent, when he used such an argument to terrify men who, if they were degraded enough to be wrought upon by such means, were unworthy of his care or attempts to preserve them. Then the opponents of the Bill talked of the Press, but had they no Press of their own? Was this not black ingratitude to the *Morning Post;* and could not the right hon. Gentleman recognise a friendly hand in the daily eulogiums that were lavished on him. They not only had a Press, but it would be odd if they had not when it was their boast that all the learned men of England were against this Bill. Still they would talk of the venomous Press in favour of Reform; but he held in his hand what came from the opposite party, and he could scarcely believe it when he read it. It was an extract from a publication which enjoyed great reputation in the north, and appeared monthly; the prophecy in August last, to be fulfilled in two months, was this:—"By that time there will be no peers in France; we shall have war by land and sea. There will be a dust at Manchester, which will be laid in blood, and the new Parliament will meet in peace and jollity." Then the prophecy went on—"I trust the Duke of Wellington has a campaign or two in him still. Sir Henry Hardinge, if things go well, will be a Secretary of State, and he may come down and raise his standard in Yorkshire." That was the prophecy. What was to be thought of such writing as this? And what was to be thought of those who maintained that all the intemperate writing was on the side of his Majesty's Government? Surely those who spoke thus cavalierly of laying dust in blood, and raising the standard in Yorkshire, had no reason for blaming that portion of the Press which advocated Reform: For himself he contemplated no such evils as those which some hon. Members seemed to anticipate. His belief was, that everything would go on well. He did not contemplate a revolution like that of 1688, he did not look for any "restoration." He had no doubt that those who had hitherto opposed Reform would see the necessity of yielding; and that they would recollect the opinion of one of the greatest men that ever lived, expressed at a time of great peril, which ended in his ruin, and that of his country. He alluded to a passage in one of Cicero's letters to Lentulus, stating the reasons which rendered it expedient to yield to inevitable power; and he remembered that when he heard of the conversion of the right hon.

Baronet opposite to the cause of Catholic Emancipation, it occurred to him that that right hon. Baronet had been influenced by the passage in question:—

"Nam neque pugnandum arbitrarer contra tantas opes; neque delendum, etiam si id fieri posset, summorum civium principatum: neque permanendum in una sententia, conversis rebus, ac bonorum voluntatibus immutatis: sed temporibus assentiendum. Numquam enim præstantibus in republica gubernanda viris laudata est in una sententia perpetua permansio: sed ut navigando tempestati obsequi artis est, etiamsi portum tenere non queas: cùm verò id possis mutata velificatione assequi, stultum est eum tenere cum periculo cursum, quem ceperis, potiùs qùam, eo commutato, quò velis, tandem prevenire; sic, cùm omnibus nobis in administranda republica propositum esse debeat id, quod à me sæpissmè dictum est, cum dignitate otium: non idem semper dicere, sed idem semper spectare debemus."

Mr. *Croker* said, that after the most irregular illusion which had been made to him, he trusted he might be heard for a few moments. The right hon. Baronet imputed to him violent language in speaking of the people of England. He wished the right hon. Baronet had noticed it at the time at which it was uttered. The right hon. Baronet said, he had called the people of England 'insatiable wild beasts.' It was the populace, not the people, of whom he was speaking at the time; and what he said was in reference to the abstract principle of innovation, which he said would be insatiable if once allowed to taste its food until wild beast like, it had destroyed all that came within its reach, when it might fall down, not so much because it was glutted, as because it could find nothing more to devour. The right hon. Baronet had also alluded [" *cries of spoke*" here compelled the right hon. Gentleman to stop].

Sir *Robert Peel* said, in the very multifarious speech of the right hon. Baronet —a speech which some persons seemed to think amusing, there was one topic wholly omitted, and that topic the Bill of Reform. As it was his wish, however, to address himself solely to that topic, involving, as it unquestionably did, the most important matter that had been ever agitated in Parliament, he should not waste the time of the House by the slightest notice of far the greater part of the speech of the right honourable Gentleman, which had not the slightest connection with the subject. This was the first speech of the right hon. Gentleman since his acceptance of office, and was it to be expected that, on a subject of such vital interest, he should have thought merely of defending the conduct of his new colleagues on matters entirely extraneous to Reform? Was that the only opportunity he could find of setting forth his own merit as the champion of the Administration? Was that a time to dig from its grave the unfortunate Budget of 1831? The right hon. Gentleman charged the opposers of the Reform Bill with having entered into a party combination to strangle in its cradle that unfortunate and ricketty offspring of the Government. Combination, indeed! why, there was no necessity for them to lift a hand or say a word against it. It was quite enough for them to stand quietly by, and leave the Budget to be smothered by the Reformers. The misshapen offspring of financial love fell beneath the blows of the Reformers. Who extinguished the threatened tax on funded property? Why, the hon. Member (Mr. John Smith), he, who, on the night when the Reform Bill was brought in, said, he lost his breath with delight and admiration of the measure, retained sufficient to puff out the life of that wretched abortion. The proposed taxes on landed property and on steam vessels vanished, not through the exertions of the opponents of Reform, but because the friends of that measure denounced such taxes as mischievous and absurd. So much for the misrepresented facts of the right hon. Baronet. Now, to say one word of his doctrine: Was Reform, then, already come to this, that the Members of that House were not at liberty to examine the conduct of Government? Must they be altogether silent upon the Budget? must they take no notice of the public expenditure? must they hold their peace upon all the subjects, however important, the Government might think fit to introduce; because Government must not be disturbed in its great labour of hatching Reform? The right hon. Baronet referred, with particular emphasis, to a question put on the subject of the Russian-Dutch loan on the night the Reform Bill stood for a second reading. And why not on that night? Were such inquiries distasteful to Reformers, and incompatible with their Reforms? But he would pass to other and more important matter than the speech of the right hon. Baronet. There was, indeed something in the personal appeal made to himself by the right hon. Gentleman which might, even upon an occasion like the present, justify him in intruding for some time upon the House, in answer to such an appeal, but, as that was the last opportunity he should have of stating his sentiments on the Bill, he would proceed, without further observation on the speech they had last heard, to the proper subject of debate—that tremendously important change, on which the future prosperity and grandeur of this mighty empire would depend. After the long lapse of time that it had been in progress through the House—after giving to it all the consideration its importance required—after the various alterations made in it, he should have felt happy if it was in his power now to say, that he saw in it less that was objectionable than when it was first proposed. He must, however, declare, that the reverse was the case. The time expended on it, however long, had cured none of the evils of the original measure. The more he considered that measure, the more he reflected on the consequences to which it would lead — consequences embracing every thing most valuable in the institutions and frame of society — the more he felt anxiety and apprehension, the more his objections were confirmed and strengthened. In whatever view he regarded it—whether with reference to its origin, to the period at which it was brought forward, to the example on which it was founded, to the means by which it was attempted to be carried, or to the consequences which might be expected from its adoption—he was filled with astonishment, mortification, and dismay. But vague and general condemnation of the measure was not his object. He had no other wish than calmly to review the main arguments on which an experiment — admitted by its authors to be a most perilous one—had been justified. The leading grounds on which the Bill rested for its defence were two. First, that it was fraught with great practical benefit, since it remedied actual defects in the Constitution long complained of by the people, by giving them a more full and free Representation, by putting an end to small boroughs, conferring the elective franchise on large towns now unrepresented, and providing a guarantee for future good government. The second ground for it was, that there was so general a demand for Reform that no discretion was left to the Legislature, that, whether good or bad *per se*, that or some equally efficient measure must be adopted to conciliate the people, and to enable any Administration to carry on the Government of the country. For anything in the shape of real substantial argument in support of either of these grounds he must again refer to the speech of the member for Calne. That hon. and learned Gentleman supported the measure upon the ground that it would improve the present system of Representation, by giving the people more influence in the election of their Representatives; and more control over the action of the Executive Government; and he inferred, as a necessary consequence of this increased influence and control on the part of the people, an increase of the general happiness. If that inference were a just one, there was an end of the question; but the whole point at issue was, on the justness of that inference, on the question — whether the great ends for which Government was constituted would be promoted, in this country, by a vast increase of democratic power. The learned Gentleman exhorted us to make the experiment of a great change in the Representative system, on the express ground that the present system has proved a failure. He totally denied the assertion of Mr. Canning—which was the foundation of his argument against Reform, namely, "That the system has worked well." The learned Gentleman admitted, that, if it had worked well—well for the country at large —the reasons for extensive change were materially weakened. As a proof that it had not worked well, he desired them to survey the whole structure of society, and to deny, if they could, that there was great privation, great suffering, great distress. They could not deny it, but they asserted, at the same time, that that suffering and that distress were not justly attributable to defects in the form or constitution of the governing power. How could society be formed, how could it exist, without vast and striking inequalities in human condition—without the extremes of worldly prosperity, and worldly privation? They had the "humble shed" and the "contiguous palace," that sheltered rather than shamed it. And it was not enough to allege, or to prove, such inequalities, or the existence of much real and undeniable evil, much unmerited and incurable suffering; — was that evil caused by defects in the Representation, and would it be removed by the removal of the supposed defects? This was the question.

The learned Gentleman was obliged to admit, that, in many most important particulars—in its influence on the administration of justice—on the formation of national character—the system had worked well. But, then he maintained, that all that was good in the constitution of society was attributable to popular control on the action of Government; that all that was evil was attributable to the absence or diminution of that control. Therefore, said the hon. Gentleman, "increase the control, and you will increase the good, and abate the evil." But surely that reasoning took for granted much that could not hastily be admitted. Was it so clear that to democratic influence we owed all that was estimable in social life? Did it follow, that, admitting that the existence of that influence was essential to the maintenance of the blessings we enjoyed, that the increase of that influence must necessarily make a corresponding increase of the good which flowed from it? Might not all depend, in politics as well as physics, on the due admixture and proper proportions of contending elements? Suppose the learned Gentleman were to argue thus:—"I find the air we breathe a compound of certain qualities—one pure, the other noxious—one essential to combustion, to respiration, to the maintenance of vegetable and animal life. To the one I attribute all the enjoyment of life, and to the other, all that is destructive of it; let us separate the evil principle from the good one, and let us in future breathe nothing but oxygen." His argument in that case would be just as rational as his argument in the present case—that we have nothing to do but increase the democratic power, in order to ensure good government and public happiness. The great inequalities in the condition of mankind might be, in one point of view, an evil. There was—who could deny it—superfluous affluence co-existent with acute and undeserved suffering. But could they eradicate the evil, if it be one, without evils ten times greater—without destroying the security of property—the incentive to industry and virtuous exertion—without undermining the foundations of society? Nay, was there not reason to doubt whether one of the consequences of improved civilization, by stimulating ingenuity, by protecting property, was not to create and increase those inequalities in worldly prosperity—those contrasts of extravagant wealth and deplorable penury, which were alleged as the proofs of defective government? It was useless, and worse than useless, to excite the hope that any Reform, or any powers of legislation, could remedy much of the evil which they knew and admitted to exist. What had been the course which, in this Session, the authors of the measure of Reform had themselves pursued, with respect to cases of notorious and grievous suffering? In the course of the last fortnight petitions had been presented from the silk trade and the glove trade, complaining of such distress that thousands, who had been brought up to those trades, were unable to earn their livelihood? The facts were admitted; and what course did the Government take? Did they encourage any hope of relief from legislation? No. Their language was, "In the complicated state of society, improvements in machinery, vicissitudes of fashion, and other causes, must affect your position. It is impossible to improve your situation by parliamentary interference—nay, we will not even inquire into the causes of your distress, for the inquiry itself would only raise expectations which must be disappointed." And such language might be wise. But if wise on that point, it was wise also with reference to the Constitution. It proved that severe privations might be suffered, without an impeachment of that Constitution. That language, as he before observed, might be wise, but what was it that had enabled the Government to hold it? What was it that had enabled the Government, at different periods, to act independently of petty local interests and popular prejudices, and to follow that course only which they thought for the benefit of the people at large—what but the borough Representation? What was it but that which had enabled Mr. Canning to pursue such a course? He had given up the Representation of Liverpool, because he found that the protection of local interests might embarrass his action as a Minister of the Crown. He had taken refuge in a small borough, where he had no such interests to consult, and, by that means, was enabled to devote all the energies of his mind to a general and comprehensive view of the various and complicated concerns of the whole country. The present Ministers had been able to adopt a similar course with respect to many minor questions, in consequence of the excitement which existed about the Reform Bill. They had been made, in a manner, independent of their own supporters—independent of popular clamour on commercial subjects, by the overwhelming interest attached to one particular question. They had been able to say to their followers, "do not thwart us on this point, for, if you do, the success of the Reform Bill may be endangered." But would they always be able to do that? Certainly not. The time would come when they could no longer avail themselves of the powerful lever of Reform—when they could not direct, but must submit, to popular impulse. When that time came, he doubted whether they would have the same power of applying general principles, and disregarding temporary clamour, whether they would then be able to refuse Committees, which would be required on every depression of trade, and at every moment of partial distress, deranging the course of commerce, and unsettling the credit and the business of the country. The hon. and learned Gentleman said, that if a Reform had some years since taken place in the House, we should have had, first, an improved system of legislation, both as regarded commerce and jurisprudence; and, next, an effectual discouragement of war. Such wars, he said, too, as were necessarily entered into would not have been so feebly conducted; and, in time, we should have been free both from the rancorous hostilities of domestic party spirit, and from the fear of foreign invasion. The country would have enjoyed internal repose, and the blessings of general peace. It was very easy to say these things, but extremely difficult to prove them. The hon. and learned Gentleman had assigned no reason for entertaining that opinion; but he would assign some reasons for an opposite conclusion. With respect to the subject of war, which had been already so admirably treated by his noble friend (Lord Mahon), he knew no fact the hon. and learned Gentleman could adduce to prove that if, at any given period of the history of this country, there had been such a Reform of this House as was now proposed, there would have been that discouragement to undertake war which the hon. and learned Gentleman contended for. The hon. and learned Gentleman admitted that wars had been occasionally popular in recent times; but, then, said the hon. and learned Gentleman, "however popular such wars might have been in the beginning, I think, if we had had a Reformed Parliament, those wars would have been put an end to much sooner than they actually had been." But when a war was once begun, it was not always in our power to choose the moment when it should terminate. If the hon. and learned Gentleman admitted, that republics and popular governments generally were inclined to war, he admitted every thing. There was an end of his prophecy of perpetual peace. The hasty inconsiderate demand for peace might be just as dangerous as the clamour for war. Now, with respect to our jurisprudence, what evidence was there that any Reform in Parliament would make that House more disposed to improve our jurisprudence than it was as at present constituted? The hon. and learned Gentleman said, that that House had evinced a disposition to oppose legal Reform. But by what portion of the House was that disposition manifested? What was the fate of a Bill brought in that Session by a staunch supporter of the Reform Bill? The Tories appointed a Committee to inquire into the law of real property, and all the Members of that Committee concurred in opinion, that one of the greatest improvements that could be made in that branch of jurisprudence was, the adoption of a General Registry Bill. The necessity of it was felt so strongly, that an hon. and learned Member of that House introduced a Bill for that purpose, and he professed himself unable to conceive how people could be so obtuse as not to see the absolute necessity of such a measure. The registries in Yorkshire and in Middlesex were held up as conclusive proofs that the landed interest would be considerably benefitted by the universal adoption of a General Registry. But, although Reformers were predominant in that House, so far from showing a disposition to act in accordance with the view taken by their brother Reformer, they totally abandoned him and his Reforms. He came down to the House and complained that there had started up a host of Attornies, actuated, no doubt, by the purest principles, who had so operated on the Reform Members, and had produced such opposition to the Registry Bill, that the learned author of the measure was obliged to take refuge in a Committee, and had not the least prospect of contending successfully against the partialities, prejudices, and obtuseness, not of the boroughmongers, but of the Reformers—of those who were returned by popular elections, and were compelled to yield to popular clamour. The most strenuous supporters of the Reform Bill, among whom was the noble member for Yorkshire, concurred in treating that measure of legal Reform as they treated the Budget: and nothing had been done to meet the exigencies of the times, or the just demands of the rational part of the people. Now, if that was the fate of legal Reform in the House as at present constituted, if the Attornies could raise such a storm with their present means, just conceive that House to be chosen by the newly-created constituency of 10*l.* householders, and then say, whether there would be the slightest chance that the Registry Bill should pass? If that measure could be defeated now, what probability was there that a Parliament, chosen by that class who constituted the chief opponents of the measure at present, would allow it to become a law? But the hon. and learned Gentleman said, that, if we had had a Reform Bill some thirty or forty years ago, all the evils of which we now complained would have been corrected. To that observation one very manifest answer offered itself. The hon. and learned Gentleman assumes, that, if a Reform in Parliament had taken place at the period he mentions, the Reformers of that day would have seen with our eyes, and have estimated every thing by the same standard which was now adopted. But, was it not obvious that, if the Constitution of this country had been new modelled forty years since, reference must be had, in judging of the practical effects, to the then state of intelligence among the people—to the then state of their feelings, prejudices, and opinions? Let it not be supposed that there would at that period have been raised in a Reformed Parliament the present loud demand for economy; or, that a clamour against war, or an imperative call for Reform in our civil and criminal jurisprudence, or in the management of the property of the Church, would then have been heard, because we now heard it. Suppose, for instance, that, in 1784, there had been a Reformed Parliament, would such a Parliament, returned upon the principles of the present Bill, have been disposed to take enlightened views on commercial subjects? Certainly not. In 1785, Mr. Pitt brought forward his commercial propositions with respect to Ireland. Mr. Pitt said, that he proposed the measure with the view of enlarging the intercourse between this country and Ireland. He expressed his wish to have the system of bounties, drawbacks, and every onerous duty, done away with; it being his opinion that the prosperity of Ireland and that of England were the same, and that the best interests of both countries would be consulted by extending their commercial intercourse. These were the opinions of Mr. Pitt: but they were not the opinions of Mr. Fox, who might be considered as a fair index of the popular opinion of that day. Did the hon. and learned Member believe, that the 10*l.* householders of that time would have returned a man more enlightened than Mr. Fox? And what were the enlarged views of that eminent statesman on the subject of Trade? He said—"There is no one benefit which Ireland can derive from an extended intercourse with this country which will not lead to an insidious competition on the part of Ireland. It is this which will stir up jealousy between the two countries, and make Englishmen and Irishmen look at each other with cold hearts and suspicious eyes." At the time those sentiments were put forth they were in conformity with popular opinion. That opinion concurred with Mr. Fox, that commercial benefits were not reciprocal, and that every advantage which Ireland would reap from the Resolutions would be to our detriment. It would be absurd to measure the intelligence of a Reformed Parliament of that day by the doctrines held at present, or by the advance which science had since made. In 1786, Mr. Pitt negociated a commercial treaty with France; in defence of that Treaty in 1787, he laid down these principles:—"France was, by the peculiar dispensation of Providence, gifted, perhaps more than any country upon earth, with what made life desirable in point of soil, climate, and natural productions. It had the most fertile vineyards, and the richest harvests; the greatest luxuries of man were produced in it with little cost, and with moderate labour. Britain was not thus blest by nature; but, on the contrary, it possessed, through the happy freedom of its Constitution, and the equal security of its laws, an energy in its enterprise, and a stability in its exertions, which had gradually raised it to a state of commercial grandeur; and, not being so bountifully gifted by Heaven, it had recourse to labour and art, by which it had acquired the ability of supplying its neighbour with all the necessary embellishments of life in exchange for her natural luxuries. Thus standing with regard to each other, a friendly connexion seemed to be pointed out between them, instead of the state of unalterable enmity which was falsely said to be their true political feeling towards one another." * But, what said Mr. Fox?—"France has always been the natural foe of this country: she has consented to this commercial treaty for an insidious purpose. In the reign of Charles 2nd, and of Louis 14th, an unnatural alliance was attempted between the two countries, but I deprecate all alliance for the future. Trade is a miserable consideration; and I attribute this treaty to those dirty commercial considerations which entirely shut out all higher motives of policy. England must have nothing to do with France." Now, he asked, if, in the year 1786, there had been a Reformed Parliament—the express image of the people—of the 10*l.* voters to be now created—would Mr. Pitt have succeeded against Mr. Fox? Which of the two would have maintained the popular opinion of that day? Could there be a doubt, that, although we now readily acknowledge the superior wisdom and intelligence of Mr. Pitt, as to the principles of commercial intercourse, that a House of Commons returned by popular choice, in 1787, would have adopted the sentiments Mr. Fox? Therefore, he said, the learned Gentleman had no right, whatever, to assume that Reform, applied forty years since, would have insured that enlarged and enlightened legislation of which he spoke. A part of the speech of the right hon. Baronet (Sir John Hobhouse) appeared to be founded on the impression that, even at that late period of the discussion, he (Sir Robert Peel) intended to propose some measure of Reform. With respect to that matter, to which, indeed, the hon. and learned Gentleman first alluded, he begged to assure both him and the right hon. Baronet, that he never meant in the slightest degree to question their right to examine and comment upon his public conduct. He admitted that right in its fullest extent. But those Gentlemen would, of course, concede to him the corresponding right of correcting their errors. The hon. and learned Gentleman especially alluded to the line of conduct he had pursued on the Catholic question; and he did him an injustice, for which he could not account. He had hoped that all unkindly feelings on that topic were at an end; and certainly he wished not to revive them. He was ready to acknowledge that he always listened, not only with great attention, but with great admiration, to that flow of chaste and pure language, which, however rapid, seemed scarcely able to sustain the rich freight of thought and fancy which it bore along. Not denying the right of the hon. and learned Gentleman to attack his political conduct, not objecting to the tone of his observations; at the same time, he should have expected, if he was to be attacked for his conduct on Reform, that the learned Gentleman would have been the last man from whom that attack would come. If he was to fall from that particular shaft, he could never have believed that it would have been drawn from the quiver of the learned Gentleman. On the Catholic question the charge against him was, that he had appropriated the honour due to others; that he had stood aside, had seen others sow the seed, had watched the approach of the harvest, and then had stept in, and reaped the fruits of their toil, and the honourable reward which was justly due to their labours. But what was now the charge? That he had done the same thing on Reform? Just the reverse. The charge now was, that he had not brought in a Reform Bill; that he had not made some servile copy of the measure of the hon. Gentlemen opposite; and, because he had not done that, he was as open to accusation and censure as before. The learned Gentleman reminded him of the attack made upon the physicians who attended Mr. Fox. Mr. Trotter, the private Secretary of that Statesman, in a public letter, declared that the physicians ought to have been brought to justice for having administered foxglove to their patient for his particular disease. The physicians declared that they had not administered it: Mr. Trotter immediately turned round upon them, and exclaimed—"Why have you not? You ought to be condemned for not having administered it. It might have been the only remedy for his disorder." The charges of the learned Gentleman against himself were as contradictory as those of Mr. Trotter. When he brought in a Bill to accomplish the objects which others had so long advocated, the learned Gentleman accused him of seeking to deck himself with their plumes, and to assume a merit which was not his due. When he did not bring in a Bill for Reform, the same learned Gentleman was equally indignant, and demanded from him a Reform Bill, with just the same vehemence with which he condemned him for having brought in the Catholic Relief Bill. He had no Reform Bill to bring forward. He did not believe that the Reform contemplated would be an improvement of the Constitution. He did not believe that it would remedy the defects of which Ministers complained, but he feared that it would expose the country to great hazard, and he was not prepared to bear the responsibility of bringing it forward. He had retired from office rather than undertake that task, and, if he differed from the public voice, surely he had a right to maintain his own opinion, being prepared to submit to all the consequences of adhering to it. The learned Gentleman asked, how could a man venture to act in opposition to the vast majority of the people of England? Did, then, the learned Gentleman mean to declare himself an enemy to private judgment? Was not a man at liberty to entertain and act upon his own opinion in political matters, even though the universal voice of the people of England should be raised against that opinion? If he differed from the people of England, he differed from them reluctantly and respectfully; if he thought that they were intoxicated, they had no right to reproach him if he chose to remain sober. He firmly believed that this measure of Reform would not promote the good government and the happiness of this great country, and, therefore, to the last he would oppose it. But then came the second of the two leading arguments for Reform, namely, that, whether good or bad, it was inevitable, that the demand for it was so universal and overwhelming, that it became impossible to administer government, and execute law, without a Reform, based on the same principles, and carried to the same extent, with the present Bill. No prudent man would assert, that, provided there was among the intelligent and reasoning classes of any country a deep-rooted and permanent feeling of dissatisfaction with any public institution connected with its Government, that feeling could, with safety, be abruptly and contemptuously disregarded. If it could be shown that, whatever might be the abstract merits of a Constitution, the people were dissatisfied with it; that they had outgrown its original dimensions, that it was no longer applicable to the wants and interests of society; that the basis on which it rested was too narrow; that the public administration could not be carried on without constant suspicion on the part of the people, in such a case it became, no doubt, the duty of Parliament to devote its deliberate consideration to the means of effecting some change. He was bound to admit, that it would have been difficult if not impossible for any administration to have been formed on the principle of resisting altogether Parliamentary Reform. He had thought, also, that, whenever the time for Reform should arrive, it would be infinitely better that the question should be taken up by those who had been its uniform friends, rather than by those who had been its uniform opponents. An arrangement made by the latter would have been much less likely to be permanent and satisfactory than if it came from the friends of the measure. It was his firm belief that the Gentlemen opposite had the means of making an adjustment of this question, which would have been satisfactory to the rational and respectable portion of the country, in spite of any opposition which any other party might have offered to it. The present Ministers came into office at a period, no doubt, of great excitement, when there was existing in this country a disposition to disturbance, excited, not by any settled deliberate desire for Reform, but by the absurd admiration of the triumph of physical strength in France. It was natural enough that the people of this country, with their notions of liberty, should rejoice at that triumph—that they should rejoice at the defeat of the illegal ordinances of July, and of the military force of a despotic power; but it was ridiculous to see the people of England desirous of imitating the example of France, without its provocation, and attempting to cut their clumsy capers in revolution after the manner of the harlequins of Paris. The present Government was called to power at a great crisis, and they had the means, by common prudence, of overcoming the difficulties of that crisis. He granted, that there was a desire—a permanent, a growing desire—for Reform among the sober and intelligent classes of the community, but, surely, that feeling might have been, and ought to have been, distinguished from the drunken fit of temporary enthusiasm with which the events of Paris were regarded. It ought, too, to have been distinguished from that spirit of discontent and disaffection which, however they might constitute the Government, would always be found, varying, no doubt, in degree, among the vast masses, with complicated and conflicting interests, of which society was composed. At all times, and under all circumstances, they must calculate, that distress would produce the disposition to turbulence, and that evil spirits would be found able and willing to direct and to profit by such a disposition. When David raised his standard against Saul, "every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him, and he became a captain over them." Human nature had undergone no change; and he feared there would always be found a permanent fund of discontent and dissatisfaction in every country. But his argument was, that the present Ministers had it in their power to separate these angry elements of confusion, and to discriminate between the demands of dissimilar classes of men—those who acted upon a cool and deliberate judgment in favour of a temperate Reform, and those who, in the height of their maddening excitement, called for the most perilous innovations. If Ministers, instead of giving immediate notice that they intended to bring forward without delay this extensive measure of Reform—a measure much more extensive than they themselves had ever previously contemplated—totally differing, as was well known, in character and degree from that which Mr. Brougham intended to propose—if, instead of that, the Ministers had stated, that they would, at all hazards, postpone the consideration of Reform until the fits of temporary enthusiasm had subsided, and until they could distinguish the flow of the pure stream of opinion from the turbid waters of passion which were for the time mingled together—he was certain that every sober-minded and reflecting man in the country would have acquiesced in the prudence of such a delay. No doubt there must have been a pledge of Reform, but would the people of England have refused, to a Government so pledged, time to consider and mature both the principle and details of such a vital measure? Were they so infatuated as to insist, not only on a Radical Reform, but on its production within two months? The fact was, that, at no time was there a general wish expressed on the part of the rational and respectable part of the community for a change of so extensive a nature as that which Ministers had proposed. Did they mean to say, that, if they had come forward, and declared that they were determined to destroy the principle of nomination boroughs, and confer on populous places the right of returning Representatives, that the people would have been dissatisfied, and that they would have incurred the risk of defeat either by the party which opposed all Reform, or the party which now cried aloud for greater innovations? Could Ministers assert that, if, having largely enfranchised the great towns, they had proposed to make the extent of disfranchisement depend upon the number of places enfranchised, so as to form a natural barrier against future innovation; at the same time, giving to Ireland and Scotland such benefit from an improved Representation as they were then disposed to give to those countries; did Ministers, he asked, think that, if they had adopted such a course, they would have disappointed the expectations of the most sanguine Reformers, or have failed in satisfying all reasonable and considerate men? His firm belief was, that, in spite of all opposition, Ministers had the power of carrying to a successful conclusion such a measure as would have proved perfectly satisfactory. They had, however, not only gone to a most extravagant extent in their confiscation of existing rights, but had embodied in the provisions of their Bill, principles which must eventually preclude all permanency in their far-famed work. It might have been impossible longer to uphold the principle of nomination; but where was the necessity of altering the whole Representative system of the country? That was not essential to the success of any Reform desired by the people, and not connected, in the slightest degree, with the principle which Ministers professed to act upon. They had, however, by the course taken, shaken the very foundation of the Representative system, and had destroyed all those prescriptive rights which could alone give stability to institutions of Government. If they had left all large places having popular rights of Representation, in the enjoyment of their ancient franchise it would have been perfectly consistent with rational Reform; but, no; Ministers had declared that these places should enjoy the right of representation, not because they had enjoyed it for centuries—not because their privileges were sanctioned by grants and charters of incorporation—but because they happened to correspond to a new and fanciful standard, by which they thought fit to mete out the right of representation to the people. In new boroughs new rights must, from the nature of the case, be called into existence; but why not create the new, and, at least, where it was a popular one—leave untouched the ancient franchise. The destruction of it was a mere wanton innovation, a gratuitous sacrifice of that prescription which was the foundation of their rights, and the main stay and strength of all civil government. Ministers never had any valid reasons for the extent of the alteration to which they had gone, either upon the ground of the defects of the Constitution, or upon that of popular demands. That there had now arisen such a demand, which it might be difficult for any statesman to resist, he could not deny; but why had it arisen? Because, for the first time in the history of this country, the people had seen the Throne and the Government ranged against those restraints of authority which had hitherto been considered necessary for the well-being of the empire. Difficult, indeed, must it be to maintain those restraints, when the King's Ministers were united with the populace in denouncing them, in holding up the Members of the House of Lords as corrupt, and, in the wild spirit of destruction, devoting the whole Constitution of the country to annihilation as a rotten and evil thing. Who, when they beheld Ministers siding thus with popular clamour, could be surprised at the popularity of Reform? It appeared as if the reins of the State had been confided to some youthful and inexperienced hands; and who, left without any guiding principle, or any controlling sense of duty, were rushing on with headlong violence, which wiser men could not moderate or restrain. If the older and more experienced members of the Cabinet chose to confide the conduct of this dangerous measure to the care of their youthful colleagues, known and distinguished only for their rashness and presumption—they should have at least forewarned them of the difficulties they had to encounter—the perils they had to incur, and the fate which would probably await them. They should have said to any one of those persons, whose ambition made him press for an employment so fraught with danger to himself and injury to others—

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* Hansard's Parl. History, vol. xxvi. p. 395.

> "Non est tua tuta voluntas;
> Magna petis Phaeton, et quæ nec viribus istis
> Munera conveniant, nec tam puerilibus annis."

They should have given him the salutary caution, that the fiery steeds, which he aspired to guide, required the hand of restraint, and not the voice of incitement—

> "Sponte sua properant, labor est inhibere volentes,
> Parce puer stimulis, ac fortius utere loris."

If the caution had not been given—or if it had been disregarded—let them hope, at least, that the example of their suffering might be a warning to others, and that another lesson to the folly and rashness of mankind might be read by the light of their conflagration. He had stated his reasons for dissenting from the conclusions in favour of this measure of Reform urged by its supporters. He denied that there was any such degree of practical evil attributable to defects in the present constitution of the House of Commons as to justify the hazardous experiment they were about to make, and if there was a necessity for yielding, against their judgment, to a popular demand for Reform, he asserted, that that necessity had been created by the King's Government—by the use which they had made of the King's name, and by their uniform endeavours to increase, instead of to allay, public excitement. He had been challenged to state the specific dangers which he apprehended from this Bill of Reform, and he would obey that call. In his opinion, the Bill would give an additional influence to the democratic power of the State, as distinguished from the monarchy and the House of Lords, so great as to make that power supreme, and virtually, therefore, to convert the mixed government under which we had lived into a simple democracy. He saw no prospect that the King would hereafter be enabled to exercise an unpopular prerogative, however necessary that prerogative might be to the permanent interests of the country. He thought they were about to sacrifice the means which they then possessed of resisting the first impulse of the tide of popular opinion. If that tide set in with a steady unchanging course, it was sure even then to prevail: but they had at present barriers against the first shocks which enabled them to outlive a temporary storm of passion, and to yield, if it should become necessary to yield, with a cautious and gradual relaxation of the ties and holdings which secured the established order of things. But hereafter there would be no *vis inertiæ* in the machine of Government—none of that power of resistance to the restlessness of a desire of perpetual change which, at present resulted, not only from the monarchical principle of government, but, from the feelings, habits, and prejudices which were interwoven with ancient prescriptive institutions. The power of the House of Commons would hereafter be supreme; the other branches of the Legislature would exist merely by sufferance, until it was discovered that institutions which had merely the shadow and semblance of authority were useless and expensive pageants, and had better be abolished. How could the King hereafter change a Ministry? How could he make a partial change in the Administration in times of public excitement with any prospect that the Ministers of his choice, unpopular, perhaps, from the strict performance of necessary duties, would be returned to Parliament? How many men pre-eminently fit for official station would be excluded, because they would not condescend, or had not the art to recommend themselves to popular constituencies? By the very act of making all places necessarily places of popular election, an end was effectually put to the exercise of this prerogative of the Crown, and so far a revolution had been worked in the State. Ministers of the Crown might lose the confidence of their constituents: it had happened in the case of the noble Lord (Lord Palmerston). Such a case might occur again, under other circumstances. Take, for instance, the Law Officers of the Crown. Let not his opponents say—"We deal with general principles, and not with petty details; and that the Crown officers, like other candidates, must recommend themselves, by popular courses, to popular approval. They might hold that language, but men acquainted with the practical workings of the British Constitution knew that it was fallacious. It was not right that men filling high and responsible offices should be compelled to court popular favour, by making sounding speeches about the liberty of the Press, and gaining the favour of the populace by the most despicable prostitution of their minds and acquirements. How could the Crown have obtained the advantage of the services of the present Solicitor General, if it had not been for a small borough? How could they insure the return of a man who might be the ornament of his profession, and, by the admission of all, pre-eminently qualified for the office of Attorney General? They would have able, and acute, and stirring lawyers in the popular interest, returned to that House, and it would become of still more urgent importance, that the interests of the Crown should be vigorously defended by its legal advisers? In what situation would the Crown be left, if it had no Attorney General in that House? It was only last night, that something fell from his hon. and learned friend (Sir Charles Wetherell)—with whom he was happy to unite on that occasion, and bury in oblivion all past differences—whose integrity he respected as much as he admired his abilities; but, even from him, something fell which struck on the sensitive ears of the Attorney General as disrespectful to the Crown. The hon. and learned Attorney General was wrong: he had mistaken the language, and the intention with which it was uttered; but the manner in which the matter was taken up by the Attorney General, though in mistake, showed how important it was, that the Crown should have an Attorney General in that House alive to any insult or disrespect which might, in the heat and inadvertence of debate, be offered to the royal authority. The King's Attorney General, faintly suspecting that his royal master had, by remote allusions, been likened to a tyrant of former times, rebuked with honourable, though mistaken, indignation, the indecent and revolting comparison. One readily forgave the mistake, in admiration of the feelings, so sensitively loyal, which prompted the Attorney General to resent an attack upon royalty. How important was it, that the Crown should always have such prompt and zealous defenders! But could any man suppose that such an Attorney General would be found, when he must obtain the suffrages of the 10*l.* householders of Marylebone, Lambeth, or the Tower Hamlets? Again, it was no inconsiderable objection, in his mind, to the proposed measure, that it would disturb the operation of the great experiment made with respect to Ireland three years since. The whole constituency of that country was then to be changed. It was not the mere addition of the number of voters, but a total change in the character of the constituency, established in Ireland. Were his fears on that head visionary? No: there must still be ringing in the ears of hon. Members the speech of the learned Gentleman on the third bench (Mr. Sheil), one of the most strenuous Reformers, and most distinguished orators of his country. In language and in tone the most emphatic, he, on a late occasion, addressed to the Government some such words as these:—'Take warning in time: what is your policy? You have made a race between Le-

'gislation and events; an incident happens, 'straight comes an Act of Parliament; 'another incident arrives, behold a Com'mittee and another Act of Parliament. 'Thus you go on, running a race with 'events, and events are sure to win it. 'Awake, for God's sake, to a sense of the 'condition of Ireland; embrace her evils 'in one large and comprehensive system of 'immediate amelioration; let us have no '"bit-by-bit Reforms." Lay not that 'unction to your souls—burn not that in'cense which self-adulation offers to itself '—do not hope, do not so far delude your'selves as to think that, by dallying with 'the evils of Ireland, by procrastinations, 'and puttings off, by sometimes giving 'buffets, and sometimes offering caresses 'to Ireland, you can effect the tranquil'lization of that country. For it has 'come to this pass, and it is not I alone 'that tell you this, but events—those 'voiceless but eloquent monitors—call on 'you as they pass, to throw aside your 'prejudices, to legislate, not on the views of 'party, but on the principles of human nature, 'and, warned by the calamities that im'pend over us, to rescue from destruction 'the unhappy land which, under all changes 'of Government, and all vicissitudes of 'party, appears to have been foredoomed 'to distraction, and predestined to mis'rule.' The learned Gentleman concluded his eloquent speech with these pregnant and emphatic words:—'Recollect, the Re'form Bill is about to pass—a general 'election must shortly follow—it is your 'turn this Session, but it will be ours the 'next.' The hon. Gentleman had described his own address to Government as an act of the purest good will—a friendly shaking of blind men on the edge of a precipice. Most certainly, if the friendliness of the act was at all in proportion to the force of the shaking, the Ministers were under the deepest obligation to the learned Gentleman's cordiality. One thing, however, his speech showed clearly enough, namely, his anticipations of the effect of Reform upon Ireland. There was another important topic on which the bearing of this Bill must be great: the extent of the change which it would produce with respect to the interests of the Established Church, it was impossible to calculate. By selecting the 10*l.* householders as electors, a power would be given to Dissenters, with reference to the Established Church, which, under no other kind of constituency, whether the elective franchise were higher or lower, they could have possessed. Add to the increase of power obtained in this country by the Dissenters the new Representation of Scotland, and the increased Representation of Ireland, and it would be difficult to say to what extent the interests of the Church would be affected. With respect also to the bearing of this great change on another important interest—he meant that of the public creditor—he could not help entertaining very serious apprehensions. The whole tendency of the Bill was, to give new power to the debtor at the expense of the public creditor. The mass of the people subject to taxation would acquire increased power; but the creditor would scarcely retain any influence whatever. It was very well to say, with the learned member for Calne, that public assemblies never refused to pay their debts. He knew not on what ground that assertion was made, but the hon. Member probably meant to intimate to the public creditor that his property was perfectly safe. If the Treasury contained the means of payment, such language might be held with some semblance of justice; but when, at the very moment, that the public creditor was told not to be anxious about his debt, there was an actual deficiency in the means of payment, and the taxes had to be levied every year from a people unwilling to pay, and to whom the House was about to give the power to refuse, the ground for alarm was very considerable. He did not mean to sanction the belief that danger would approach in the stern character of spoliation, but it would be quite as effectual if it came under the demure aspect, and in the seductive guise of the new doctrine of "fructification." He feared that a Reformed Parliament might act upon the principles of the present Government, and, from a desire to alleviate the sufferings of the people, might make a too extensive reduction of taxation. A fall in the revenue, occasioned by some such events as had recently occurred in the West Indies, would cause a deficit in the Treasury, which a Reformed Parliament would be very unwilling to supply by the imposition of fresh taxes. The moment such an event took place, public credit would be lost, confidence would be destroyed, and the active industry of the country would be shaken to its very centre. These were the main grounds on which he resisted the present measure. He considered it a fearful experiment, called for by no necessity other than that which the proceedings of its authors and supporters had created, adopted at a moment when the experience of passing events should have taught them the hazard of unsettling ancient institutions. The right hon. Baronet who spoke last had read to them a very long extract from the work of Madam de Staël on the French Revolution, and the quotation was the more complimentary to the writer, inasmuch as it appeared to have no possible bearing on the present question. If the hon. Baronet would have referred to more recent publications on the state of France, and the condition of society in that country, he might have read to the House lessons more instructive. He would find, in the columns of a powerful advocate of Reform (*The Times* newspaper), from an able and impartial eye-witness of affairs in France, evidence which it was folly in them to disregard. That evidence was contained in a letter of such recent date as the 28th of February, of which he would read an extract. The writer observes, "We have now a melancholy experience of the reduction of the electoral qualification. That imprudent measure could not have been more formally condemned by its results. In that Chamber, which doubtless contains men of high talent, though of these the greater portion sit in silent dissatisfaction, the most conspicuously indiscreet keep up an agitation, and too often succeed in effecting their objects. Town-bred envy, and the spirit of animosity which animates the petty provincial land-owner, are the prominent characteristics of the elective Chamber. Those who are averse to all superiority, offended at all splendor, and hostile to all dignity, amuse themselves by decrying the ermine and purple with which the law has invested the Magistrates. The term 'economy' was never more ridiculously abused; it has become a watch-word, a sort of bell, which is rung in the ears of the ignorant classes, to elicit applause in the *café* or the *estaminet*. What do you think of the president of a sovereign court, whose emoluments are reduced to 300 of your pounds sterling, and whose salary is lower than that which you grant to an obscure clerk in one of your public offices? What say you to the war which is waged against science and literature in the persons of professors, for whose services and capacities the most degrading bargains are made? By empty words, scholastic sophistry, and declamation devoid of sincerity, the service of the State is degraded and disorganized. It is a great misfortune to a country when power falls into the hands of the lower classes, and is exercised only to gratify the petty passions of petty persons. Our Director-General of Bridges and Highways, who annually executes public works at the cost of 60,000,000, has had his salary, which under Napoleon was 80,000 francs, curtailed, first to 50,000, and then to 40,000, and it is at length reduced to 20,000. For 20,000 francs, the Director-General of Domains and Registration must superintend a department which produces to the State an annual revenue of 20,000,000. As good neighbours, and men who know what belongs to the dignity of a great nation, pray do us the favour to flagellate our modern Lycurgusses. Let them be taught a lesson from the other side of the Channel, even though they should regard it as contraband merchandize. We may reciprocally exchange these little friendly services, and, as for myself personally, I am at your command." This came from the correspondent of that paper which boasted that it was incessantly spurring the galled sides of the jaded ministerial mules, who were slackening in their ardour for Reform. He maintained that all the expectations entertained by the partizans of French revolutions had been proved false. Expeditions were fitted out to propitiate the military spirit of a reckless democracy. The finances of France were in a ruinous condition. There was no public order—no tranquillity—no security—no prospect of repose. Hon. Members had spoken in that House in favour of the establishment in this country of a National Guard. Let them turn their eyes to what was passing at Grenoble, and possibly their admiration of a National Guard would be abated. He lamented the disposition that prevailed to undervalue the many blessings of the social condition of England, and to hazard them in the attainment of one object of very questionable advantage—a uniform and popular system of Representation. Let it be conceded that such a system would ensure a strict economy in the expenditure of the public money—let it be conceded that it would bear the promised fruit of pensions abolished, estimates reduced, salaries curtailed—alas! how small an ingredient were all these in that combination which constitutes the social happiness, the moral enjoyment, of a great nation? How miserable the gain, if it should be proved to have been secured at the expense of that refinement in manners which was the charm of society, and of that liberty which was unworthy of the name unless it was enjoyed in common by the wealthy and by the poor—by the learned leisure of the cultivated mind, as well as by the active obtrusive talent of vulgar politicians? He could figure to himself a powerful intellect capable of appreciating that true liberty; and of weighing the causes of the moral decline of empires—contrasting the social condition that, he feared, was to be, with that condition which they had inherited, but would not transmit—he could fancy a man so endowed, scorched by the unmitigated blaze of a fierce democracy—panting for the shade and shelter of less popular institutions, and venting against them (if he were allowed to vent them) the bitter execrations of a wounded and indignant spirit. He could fancy such a man in the full enjoyment of all the blessings of Reform—taxes abated, newspapers unstamped, tithes abolished, the dying fury of the election revived by the annual Registration—he could fancy him contrasting all that had been gained with all that had been lost, and then exclaiming—'And 'was it for this that you have put rancour 'in the vessel of our peace? Was it for 'this that you disturbed the balance of that 'mixed form of government which had 'solved the great problem in political science, 'by combining with vigour in the executive 'the liberty and security of the subject? 'Was it for this that you paralyzed the 'remaining force of that ancient monarchy, 'which connected, through a long succession 'of centuries, the present with the past, and 'which being purified from every taint and 'deriving only strength from its association 'with the romance of feudal history—reposed with double confidence on the feel'ings of prescriptive veneration, and of af'fection towards a mild and paternal rule. 'Was it for this, that you destroyed that 'system of manners, equally remote from 'the servility and frivolity of ancient des'potisms, and from the coarseness and 'selfishness of modern democracies—that 'system of manners which included many 'privileges, but recognized no barriers—'which had high distinctions, but made 'them accessible to all, for the purpose of 'supplying, even to the humblest, an in'centive to toil and virtue—more power'ful, because less sordid—than the in'centive of wealth? Was it for this that 'you robbed of its mild predominance an 'established religion—pure in its doctrine, 'and tolerant in its discipline and practice '—and debased Christianity, and banished 'peace, by the conflict of the thousand 'sects that range between the extremes of 'infidelity and superstition? Was it for 'this that, in the words of immortal elo'quence, you dispelled those illusions that 'made power gentle, and obedience liberal '—that harmonized the gradations of so'ciety, and, by a bland assimilation, in'corporated into politics the virtues that 'adorn and soften private life?' That he might not be summoned to the bar of posterity to answer those questions—that his name might be exempt from the reproach which they involve—that, in every vicissitude of public and private fortune, he might be enabled to cling to the consolation of having struggled in this contest with perseverance, and of having resigned it without dishonour, his last vote should be given, like his first, in opposition to this Bill.

Mr. *Stanley* was well aware of his inability to follow the right hon. Gentleman through the very able and eloquent speech which they had just heard. Still he trusted the House would favour him with its attention, while he endeavoured to reply to some of the arguments brought forward against the Bill now before the House. In the first place he begged to assure the right hon. Baronet that there was no disposition on the part of Ministers to shift from their own shoulders any responsibility which might arise from this measure, or to shrink from the consequences of the course of policy they had pursued. He admitted that the whole responsibility of this measure rested with those who had introduced it, and he for one rejoiced at it.

> "Nec Drances potius, sive est hæc ira Deorum
> Morte luat, sive est virtus et gloria, tollat."

Before he proceeded to make any observations on what had fallen from the right hon. Baronet, he would, for a very short time, call the attention of the House to a point of peculiar attention and importance, and which had repeatedly been alluded to in the course of these discussions. The hon. and learned member for Boroughbridge, and also the hon. and learned member for St. Mawes, had argued as if they doubted the constitutional power of the Crown to exercise its prerogative of adding to the number of the House of Peers for the purpose of any particular measure. He knew not upon what grounds these learned Gentlemen had thought it necessary to enter upon this discussion on the third reading of the present Bill; but, as a Minister of the Crown, he could not hear, without at once meeting it in argument, such a denial of the undoubted prerogative of the Crown. He was far from denying that any Minister who advised such a step incurred a grave and serious responsibility; but it was the duty of a government not to shrink from responsibility, when it was to be incurred, as the only mode of avoiding more serious evils. He could not allow it to be said, that on no occasion should this right of the Crown be exercised. On the contrary, it was the mode, and the only mode which was provided by the Constitution, for reconciling the two branches of the Legislature, should they be at hopeless variance. Much had been said of the impeachment of Lord Oxford, for advising the exercise of this prerogative; the hon. and learned member for Boroughbridge had stated, that, on his trial, he admitted his criminality, and rested his defence upon his having acted in obedience to the commands of his royal mistress. Supposing this to be a fact, the hon. and learned Gentleman might rest assured that the precedent would not be followed in the present case, and that no such defence would ever be made by his Majesty's present Ministers, for any step which they might feel it their duty to recommend to his Majesty. But what were the facts of the case in the impeachment of Lord Oxford? Was he really impeached by that House for making Peers, and for destroying the independence of the other House? Certainly there was such a charge, and it formed the sixteenth of a series of articles of impeachment preferred against him; but this charge for making Peers to destroy the independence of the House of Peers, was merely preferred to add to the odium which it was the wish of his prosecutors to heap upon him, and it never was relied on as a chief ground of accusation. That such was the case, was proved by the fact, that Lord Oxford made no allusion whatever to this charge, when he was first called upon to answer to the impeachment, and afterwards he treated it in a manner which evidently showed that he did not consider it as of importance. He was sure, that no one familiar with the history of that period, would assert that this was a charge relied upon by those who instituted the proceedings; but that the chief charge was, for making the peace, and for assenting to the articles of the Treaty of Utrecht. But the hon. and learned Gentleman, said the Earl of Oxford, admitted the criminality. Certainly, that was an error on the part of the hon. and learned Gentleman; for, in answer to the 16th article, he, the Earl of Oxford, insisted, that, by the laws and Constitution of this realm, it was the undoubted right and prerogative of the Sovereign, who was the fountain of honour, to create Peers, as well in time of Parliament, as when there was no Parliament sitting, or in being, and that the exercise of this branch of the prerogative was declared in the face or preamble of all patents of honour, to proceed, *ex mero motu*, as an act of mere grace and favour, and, therefore, it could, by no means, be considered as a reward for distinguished services only, as was asserted by the hon. and learned Member. This was what the hon. and learned Gentleman called confessing the criminality of his conduct in advising the creation of Peers. The result of the matter was, that, after the charges had stood over from time to time for the period of two years, that Nobleman was acquitted. At that period, the political enemies of Lord Oxford—those who had brought the charges as a means of political vengeance, were split, and divided among themselves. He boldly confronted the charges, and they fell to the ground. Without entering into the question how far the circumstances might be applicable to the present day, thus much he would again say, that whatever might be the advice which, on any occasion, his Majesty's confidential servants might give to the King, they would not shrink from any responsibility. He knew not why the word "impeachment" had so often been rung in their ears; but, if it was supposed that this would prevent them discharging what they believed to be their solemn duty, those who used that prophetic language would find themselves mistaken. Impeachment might be a word to frighten children, but it would not alarm those who knew the stake for which they were playing, and who had the feelings of Statesmen, and disregarded mere *brutum fulmen* while discharging their conscientious duty. But what was the nature of the other charges against the Earl of Oxford? This was one:—

> "And whereas Robert Earl of Oxford and Earl Mortimer, with other evil-minded persons, enemies to the true interests of their own country, as well as to the common liberties and welfare of Europe, having, by many wicked

acts and base insinuations, obtained access to her late Majesty Queen Anne; and, in or about the months of July or August, 1710, being admitted into her councils, and into places of the highest trust, and to make way for their wicked enterprises, did, by their evil counsel and advice, prevail on her Majesty to dissolve a Parliament which had given the most unquestionable proofs of their great wisdom, and of their true zeal for the common cause for which, as well as for the many marks of duty and affection given to her, her Majesty returned her hearty thanks, and expressed her great satisfaction."*

Had they heard no similar charges? Unless he was much mistaken, they had already been threatened with impeachment on that ground also. Why did the hon. and learned Gentleman delay to bring it forward? He was really sorry to detain the House on this incidental question; but he should do great injustice to the great authorities in this point, if he did not quote the opinions of two distinguished persons, who took an active part in opposition to the Peerage Bill. What was the language of Sir Robert Walpole and Sir Richard Steele on this subject? Did they doubt the legality of the exercise of the prerogative in creating Peers? He would read to the House the opinions of these two eminent men on the Bill, adverted to by the hon. and learned member for St. Mawes, and which they truly described as a measure brought in to limit the prerogative of the Crown, and to make the House of Lords entirely independent of, and distinct from, the other two branches of the Legislature. Sir Richard Steele said, on the occasion he had alluded to,—

"The prerogative is a power in the Sovereign not expressed or described in the laws, but to be exercised in the preservation of them by the rule of the general good; and, if it could be proved that the business of the twelve Judges was purely done to save the nation, and that it was done for the good of the whole, the Statesman who advised it would deserve the thanks of all mankind for exposing himself to the misrepresentation and resentment of future Parliaments for the good of his fellow subjects."†

But what said Sir Robert Walpole, who was one of the prime movers in the matter? How did he lay down the constitutional doctrine relative to the prerogative? He said,—

"The Crown is dependent upon the Commons by the power of granting money: the Commons are dependent upon the Crown by the power of dissolution. The Lords will now be made independent of both."

Could this latter expression be understood otherwise than that the Crown had the power of adding to the House of Peers. He then proceeded,—

"It will make the Lords masters of the King, according to their own confession, when they admit that a change of Administration renders a new creation of Peers necessary; for, by precluding the King from making Peers in future, it at the same time precludes him from changing the present Administration."*

This was the language of Sir Robert Walpole relative to the royal prerogative, and this same constitutional doctrine he (Mr. Stanley) intended always to support, and he did not consider it necessary to vindicate any supposed advice which it was assumed Ministers intended to give to his Majesty, should certain circumstances arise. He would again assert, that it was the undoubted prerogative of the Crown, to add to the other House. This constitutional doctrine could not be denied by the hon. and learned Member. But whatever advice his Majesty's Ministers had given, or might give, they were responsible for it to the House and the country; and they would be unworthy of the situations they filled if they were not prepared to justify their conduct. He would now proceed to the objections of the right hon. Baronet, or rather to his doleful presentiments—the gloomy forebodings and the vain imaginings of certain undefined evils which were to arise—should this Bill pass into a law. They had long been told of dangers; but the word was used in so indefinite a sense, that it was difficult to extract a meaning from it. It was said, however, that posterity might have occasion to look back with regret to the days that had passed away, never to return, when corruption was triumphant; but he imagined that none but those who flourished by that commodity would look back with regret to "the flesh pots of Egypt." But would those melancholy forebodings of the right hon. Gentleman satisfy the people of England, and put them from the purpose which they had taken up with so much determination? It was not for him to judge of this; he left it to the House and the country. The right hon. Gentleman said, that two defences were set up for this Bill, the validity of both of which he denied. The first, that it remedied defects; the second, that it had taken such hold of the affections of the people, that whether originally right or wrong, it must now be carried. The right hon. Baronet contended, that these two defences should be considered separately. He, (Mr. Stanley) on the contrary, thought they were necessarily interwoven together. For was it not the remedy of the greatest of all defects, when they substituted for a system believed to be the cause of grievance and misgovernment, one which had taken hold of the affections of the people? He did not contend that Reform in itself could remove the distress, which the right hon. Baronet said, very truly, was inseparable from an age of refinement, and from a highly artificial state of society; but he did say, that it would make the country more contented under unavoidable distress, when the people knew that the various interests were fully and fairly protected by real Representation. The right hon. Baronet argued, that a House of Commons under the control of their constituents would sacrifice the general good to individual interests; and, in proof of his assertion, he referred to the recent discussion on the glove-trade; and said, that, if they had had a House of Commons returned by the 10*l.* householders of England, a Government would not have dared to refuse the relief that was demanded, however prejudicial it might have been to the general interests of the country. Now, if there should be a House of Commons returned solely by the glove-trade, there would be some argument in this assertion, but to say, that all the 10*l.* householders in this country—all the agriculturists and manufacturists—would support the peculiar interests of one branch of trade, to the general injury of the country, appeared to him to be a most monstrous doctrine. Did the right hon. Baronet think that the arguments in that House, on any particular subject, were calculated to have less influence on the minds of the people of England, from their knowing that they were truly and fairly represented in Parliament, than when there was a want of confidence in this branch of the Legislature? Was there, he would ask, a greater chance of argument having less weight with the country, because it was used by those whose interests were mixed up with those of the people, and who were sent there by them? The right hon. Baronet then said, that the Members returned for large towns would be more under the control of their constituents, and would be more influenced by local interests than the majority of the House was at present, and, consequently, they were rendered more unfit for that House. This, he stated, would be more particularly the case with those connected with the Government. The right hon. Gentleman stated, that Mr. Canning would not represent Liverpool when he became Minister, because he would not connect himself with local prejudices. But who succeeded Mr. Canning as the member for Liverpool? Was it not Mr. Huskisson, the intimate friend of Mr. Canning, and who, at the time, filled the high office of President of the Board of Trade? Now, if there was any situation connected with the Government, that it was important the holder of should not be warped by local interests, surely this was that office. Neither Mr. Canning nor Mr. Huskisson, however, appeared to consider that the merely representing a large commercial town would produce an improper feeling in the mind of the Representative. So much, then, for the danger, that, if the smaller boroughs were destroyed, and public men had to be elected by large constituencies, that their minds would be warped and influenced by the wishes and opinions of their constituents. Again, the right hon. Baronet had said, that it would be unsafe to grant Parliamentary Reform, because the General Registry Bill, and other measures of legal Reform, had been violently opposed in this half-reformed Parliament. But did this opposition come from the 10*l.* householders of the large towns? Had the 10*l.* householders of the Tower Hamlets, or the other metropolitan districts, petitioned against this act? On the contrary, had not all the opposition been made by the county Members, and those directly connected with the agricultural districts; and yet the right hon. Baronet talked of the indifference of this half-reformed House of Commons to legal Reform. The right hon. Baronet then went back to the year 1785, and alluded to the opinion expressed by Mr. Fox relative to the commercial policy of this country, with a view to show, that Reformers did not always entertain liberal opinions on other subjects. But, surely, the right hon. Gentleman should have allowed for the feelings of the day when that opinion was given. It was well-known before, that Mr. Fox, notwithstanding his extensive knowledge and great abilities, was not well-read in political economy, nor was familiar with the doctrines of free-trade. But he would remind the right hon. Baronet who had thus referred to the opinions of Mr. Fox, that the House was not now legislating for the year 1784, but for the year 1832. And it did, by no means, follow, that Mr. Fox would have pursued the same policy in the present day, which he recommended nearly half a century ago. The great advantage of the Reform Bill was, that while it satisfied the wants, it had united the feelings of the people in its favour. The right hon. Baronet had admitted, that the hopes of the people of England had been excited on this subject, and that the Bill had taken a strong hold on their feelings; but he contended, that, when the present Ministers came into office, they might have satisfied the people by a more moderate, but, at the same time, a sufficient Reform. He admitted that they came into office at a period of great danger and difficulty, and when considerable discontent prevailed, in consequence of the refusal of Reform; and it was, therefore, necessary to propose such an extensive measure as should, at the same time, satisfy the wishes of the people, and set the question at rest. The right hon. Baronet had pursued a fair and candid course of opposition to this Bill, and he had all along stated, that it went to an unnecessary length. Why, then, had not the right hon. Gentleman pointed out how far the present Bill exceeded the measure of Reform, not which he could be willing to grant, but which he thought would have satisfied the people? But, said the right hon. Baronet, this ought not to have been done at once—not in the period of excitement—you should have postponed your measure; you should have waited until the popular excitement had gone by.

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* Howell's State Trials, vol. xv. pp. 1058-9.

† Hansard's Parl. Hist., vol. vii. p. 612.

* Hansard's Parl. Hist., vol. vii. pp. 621-2.

"Rusticus expectat, dum defluat amnis,
At ille labitur, et labetur in omne volubilis ævum."

But, if they had adopted this course, and had procrastinated until a calm might return, what outcries would not have been raised of broken faith! they would have been charged, with some appearance of justice, with having raised a clamour and excitement merely for the sake of gaining office, while the wishes of the people were wholly neglected, and their hopes cruelly disappointed. Would they not, having come into office on pledging themselves to Reform, and the Duke of Wellington having been compelled to resign on the ground of his refusal to listen to the demands of the people for Reform, have been accused of a want of sincerity and of a broken promise? If the advice of the right hon. Baronet had been followed, there would have been good ground for some of the complaints now urged against Ministers by Gentlemen opposite. The right hon. Baronet, however, admitted that some change was necessary, and he would concede Members to populous places; but, according to him, they should enfranchise first, and then disfranchise. But why, said the right hon. Baronet, meddle with the existing franchise in great places like Salisbury and Bath? Why, because, if the great mass of the more respectable classes of the population were not admitted to the enjoyment of the franchise, it mattered little whether Salisbury or Old Sarum, Bath or Gatton, nominally returned the Members. Unless there was a respectable and responsible constituency, the one was as much a rotten borough as the other. Their object was, to get rid of the rotten boroughs, and, therefore, they threw open those large places to the householders, generally, instead of the constituency in them being limited to twelve or thirteen persons. If they had strictly adhered to the rights at present enjoyed by certain corporations, they should have lost many claims to public confidence, and justly have raised suspicions as to their sincerity in the cause of Reform. At present every Member in the House had become a Reformer, with the exception of the hon. member for the University of Oxford. Other hon. Gentlemen opposite stood up for moderate Reform in different degrees, but his hon. friend stood up for the right of the Nabob of Arcot to return Members for the preservation of all corporation rights —for vindicating the integrity of the borough of Old Sarum—and he maintained that, if Gatton was yielded, everything was given up. This was intelligible—the hon. Member went upon prescription; and, undoubtedly, prescription was as much violated in principle by placing five as fifty or sixty boroughs in schedule A. But when they came to other hon. Members, they found a strange discrepancy in their views. The noble Lord who moved the Amendment was for a moderate Reform, combining ancient prescription with modern improvement. The hon. member for Brecon was also for moderate Reform, and so was the hon. member for Okehampton, but they did not seem to have come to any determination as to the degree of concession. The hon. member for Brecon said, that he was not opposed to schedule A, but that nothing could induce him to agree to schedule B. If the boroughs were nomination boroughs, put them in schedule A —if not, preserve their rights. But what said the hon. member for Okehampton? He was determined that not one borough should be found in schedule A, and he would as soon get rid of his head as of a decayed borough; but he would have no objection to an universal schedule B. An hon. Gentleman had charged Ministers with pressing the same measures forward that was submitted last year to the House; another hon. Gentleman charged them with having changed everything in this Bill. The hon. and learned member for St. Mawes complained of their having abandoned the census of 1821, and adopted that of 1831. He would not, however, at that late hour, weary the House with going through the numberless charges of the same nature brought against his Majesty's Ministers. He would not detain the House much longer, but there were one or two other topics to which he felt it his duty to call the attention of hon. Members. The hon. and learned Member for Boroughbridge had said, that they had been supported on every division on this Bill by a pledged majority. When hon. Gentlemen cried out respecting a packed majority, he would ask whether that majority, packed as it was called, never deserted his Majesty's Ministers? Had the House forgotten the Motion of the noble Lord, the member for Buckinghamshire, which was supported by a considerable portion of that majority? He would also remind those hon. Members who complained of a packed majority, of the observations of the hon. member for Okehampton, who admitted that the minority not only was, but must be, pledged; because, as he allowed, the opposition chiefly consisted of the Representatives of those places whose franchise was to be destroyed, and they were fighting, not for opinions, but for life and death. There was hardly an hon. Gentleman who had addressed the House from the opposite side, who did not profess to have his little Reform Bill; but he had not heard one describe, with any degree of clearness, the nature of the Reform he would have. The right hon. Baronet had frankly admitted that he had no plan of Reform to offer. Now, suppose that this measure of Reform was not granted, did he expect the present Government would eat their words, and abandon the efficiency of the measure? Did he believe, if the present Administration were at an end, that a Government could be formed upon the principle of granting no Reform, and of not satisfying the demands of the people? When the right hon. Baronet talked of the danger of this Bill, did he think nothing of the danger of again rejecting it? If this Bill was rejected, another Bill could not be prepared and carried until after the lapse of a year. Did the right hon. Baronet think there was no danger of the agitation and excitement in keeping the measure pending, and paralysing the trade and industry of the country for another year? He (Mr. Stanley) was so convinced of the danger of delay, that he could not regard the consequences of the cause of Reform receiving another check without dismay. That some efficient measure must before long be passed—whether of greater or less extent than the present he would not say, but which must satisfy the people—was a question that the most violent opponents of Reform would be compelled to admit. They had heard much during the discussion on this Bill of the licentiousness of the Press, but was that licentiousness all on one side? Had that licentiousness grown out of the Reform Bill? The hon. and learned member for St. Mawes said, that in consequence of the Reform Bill, the Attorney General dared not do his duty. Were there any symptoms of that? Had they not dared to vindicate the laws? —to punish outrage?—to repress incendiarism? But did the hon. and learned Member recommend a crusade against the Press? He agreed with the hon. and learned Gentleman that a strong Government had nothing to fear from the Press; but he (Mr. Stanley) did not mean, as he seemed to do, by a strong Government, one which would stifle public opinion by the strong arm of power, but one which, strong in the confidence of the people and of Parliament, might safely disregard the licentiousness of the Press, and would put down attacks by not fearing them. But further they were told that Reform was to destroy public credit, but the state of the funds was a sufficient answer to that, as they were found rising or falling as appearances were in favour of the Reform Bill or against it. To show that Reform had not tended to sink public credit, he would merely refer to the fact, that the three per cents were at seventy-seven when the Duke of Wellington left office, and they were now eighty-two or eighty-three. The right hon. Baronet complained of the injury the long period of excitement had done to the public credit, and deplored the state of the monied class. So different was his opinion, that he could not have anticipated a better defence of the Bill than the case to which the right hon. Baronet had alluded. Hon. Gentlemen talked as if the franchise would be confined to the 10*l.* householders, according to the Reform Bill. They forget that 10*l.* was the *minimum*, and the very small proportion that houses of that rental bore to the whole number. The real facts of the case at once showed the erroneous reasoning that had been adopted on this subject. They were told that when this Bill should have passed, the Crown would have no power of choosing unpopular Ministers. He gave no opinion whether this power ought, or ought not to be curtailed; but if any Gentleman would look to the list of boroughs, he would ascertain, that, under the Reform Bill there would remain seventy-eight boroughs with less than 500 houses, which would entitle the occupiers to vote, and only forty-two above 1,500; and of these forty-two there were already no less than twenty-one under the present system. Surely, then, there would remain an ample number over which the legitimate influence of property might be exercised. He had himself the honour of sitting for a scot-and-lot borough, which contained 700 voters. He did not deny that it was under influence; yet the influence which returned one Member, possessed not a single house, and depended on good will alone. He had no desire to withdraw the smaller boroughs from under the fair influence of the landed proprietors. He had no wish to do away with the influence of property; on the contrary he would bind the landlord and tenant together by the exercise of reciprocal acts of kindness: such an influence was consistent with the best principles of human nature and he trusted it would continue to exist throughout the country. The right hon. Baronet said, that it would be difficult to maintain the public credit if the Reform Bill passed, it was a sufficient answer to that remark to state that the larger proportion of stockholders consisted of those who had saved from their incomes comparatively small sums, such as retired tradesmen—clerks in public offices who had saved a portion of their salaries, and other persons of the same description, being the most steady and careful part of the community? Indeed, the hon. member for Thetford referred, on a former occasion, to a document, for the purpose of showing that the very large portion of the fund-holders belonged to the middle classes of society. According to that hon. Gentleman there were in March, 1830, 273,800 accounts with the Bank, in each of which, at least, five persons were concerned, Of these 273,800, no less than 250,000 were in sums below a half-yearly dividend of 100*l.*; and but 2,000 of the whole were for sums above 500*l.* half-yearly. How then was it likely that the transfer of the elective franchise into the hands of the middle classes who were themselves the major part of the public creditors would be the means of endangering the safety of their own property as claimants on the State? Before he concluded the observations which he had thought it necessary to make on this subject, he begged to quote, an opinion given by the right hon. Baronet on the third reading of the Catholic Relief Bill; and, in doing so, he assured the right hon. Baronet that he did not quote his opinion in an invidious sense, but rather with a view to support the statement which he had made with his (Sir Robert Peel's) great authority. The reasoning of the right hon. Baronet on the occasion he had referred to, applied to the present state of the country as regarded the Reform Bill. On the Motion that the Catholic Relief Bill be read a third time, the right hon. Baronet said —'The rejection of this measure, will be 'productive of danger to a degree which 'can scarcely be credited. It will destroy 'the reconcilement which had been already 'effected: it will elevate the lower classes 'of partisans on one side, and depress 'them on the other, and will thus widen, 'to a most lamentable extent, the breach 'which is almost healed between the two 'parties. That is a consideration to which 'I am sure every Member of the House 'will give its due weight; no matter what 'objection he may have to the abstract policy 'of these measures. He may think that we 'are in the wrong;—he may condemn us 'for acting as we have done; but it will be 'perfectly consistent in him to argue, that 'having once brought such measures forward, we cannot avert the evils which 'are inseparable from their rejection. On 'these grounds I entreat the House, and 'every Member who has influence in the 'House, to pause before they come to a 'judgment this night. I am willing to 'submit my conduct to public revision, but 'I must at the same time contend, that if 'any Member thinks that the consequence 'of rejecting these measures will produce a 'state of things very different from that 'on which he previously proposed to him'self to give his vote, he will be more con'sistent in giving his vote conformably to 'the new state of things, than in adhering 'to his former vote, in a state of things 'which is completely altered. I trust that 'the time is now fast approaching when 'we shall for ever have done with the con'sideration of this question. If we were 'enabled to extricate ourselves from the 'innumerable mazes and ramifications of it, '—if we were enabled to say, that our 'time shall be wasted no longer, by receiving 'petitions either in favour or in opposition 'to the Catholic claims—if we were en'abled to disencumber ourselves of this 'endless Catholic question, and to turn to 'other objects the thirty or forty days 'which, for Sessions past, we have dedi'cated to it—even thus far we shall be 'conferring a great benefit on the coun'try.' *

He adopted every word of this reasoning, and only regretted that the right hon. Baronet on the present occasion, repudiated his own arguments. This Bill had now been a considerable time before the House, and they were now taking leave of it, and he trusted that, ere long, it would receive the assent of the other branches of the Legislature; and he could not help hoping that the House of Lords, as they did in 1688 would comply with the loudly expressed wishes of the people and the declarations of this House; and, on this subject, he wished to refer the House to the language Hume used with respect to this subject. He said—'But it was im'possible for the public to remain long in 'the present situation. The perseverance, 'therefore, of the lower House, obliged the 'Lords to comply, and, by the desertion of 'some Peers to the Whig party, the vote 'of the Commons, without any alteration, 'passed, by a majority of fifteen, in the 'Upper House, and received the sanction 'of every part of the Legislature which 'then subsisted.' He thought that there was no man who looked to the present state of the country, who would not feel the force of this passage. They were now arrived at the last stage of this Bill; they had discussed it, he trusted for the last time in that House. They were about to send it to the other branch of the Legislature, accompanied by the wishes and opinions of a nation, and as he verily believed charged with a nation's destinies. God grant that those to whom it was to be remitted might have the wisdom, and the temper, and the prudence to join with that House in bringing to a successful issue this important measure, on which depended the future tranquillity of the realm, the safety and independence of the Aristocracy, not less than the prerogatives of the Crown, and the security of the liberties of the subject.

Mr. *Hunt* said, although it was so late, it was impossible he could refrain from giving the Bill one parting word before it left that House. The right hon. Secretary, who had just sat down, had offered up an earnest prayer that the Bill might pass, and thus satisfy the wishes of the people; but he forgot the very important and very fair question put to him by the right hon. Baronet the member for Tamworth. That right hon. Gentleman asked, how it was expected to conciliate the people when it was proposed to give the franchise to a very limited portion of the community, while nothing was to be done for the great mass? Was it intended to reduce taxation, or to get rid of the Corn-laws? No questions of that nature had been answered. He, therefore, must tell the right hon. Secretary that, if his Majesty's Ministers did not intend to grant relief to the people by the reduction of taxation, such a measure as this would go but a little way towards conciliating them. He believed that he was the only Member of that House who would get up in his place and avow himself an advocate for Universal Suffrage and Vote by Ballot. He had been sent there by a class of persons to defend those principles in that House, and he was determined to fulfil their desire upon every occasion. The hon. and learned member for Calne had said, that the system of Representation in America was most excellent, but he forgot to add when he said so, that Universal Suffrage prevailed in that country. They had heard a number of authorities quoted on various topics, and he would refer to one also writen by a warm supporter of his Majesty's Government, but which was one of the greatest libels upon the Reform Bill, that he had seen. The authority he alluded to was the editor of *The Times* newspaper; and he begged to be allowed to read a short paragraph from that paper, of the 6th of January, 1832, relative to the people of America. It stated:—

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* Hansard's Parl. Debates, New Series. vol. xx. p. 1594; 5.

> "The Official Report on the finances of the United States, the principal part of which we give this day, is a paper which ought to become the manual of every British Statesman. Here is a country, second only to Great Britain in power, among maritime States, overflowing with prosperity and happiness—one which knows not the meaning of internal tumult—one of which all the citizens, with scarcely an exception, can command the necessaries of life—meat, drink, clothing, and shelter from the elements, in abundance—one in which labour is sure of its reward; yet where Members of Parliament are chosen by universal suffrage—where neither tithes nor game-laws are to be found, and where the chief magistrate lives with dignity on an income from the public of about 5,000*l.* per annum."

Such was the situation of a people whose Representatives were chosen by Universal Suffrage, where the taxes did not exceed 10*s.* per man, while in this country they amounted to at least 6*l.* In that nation industry was encouraged, and property was as safe and as well protected as it was in England:—indeed, in America, riots never occurred; but what must be said of the state of London, when they could not have a fast without a riot? The working classes were more anxious than ever for Reform; but they wanted such a Reform as would give them a share in the Representation of the country. He was happy to hear the hon. and learned member for Calne had so far altered his tone as not to say a word about ragged rebels. He said, moreover, that this measure was peculiarly adapted for England, although not, perhaps, for Hindostan or America. Whether it would suit Hindostan he could give no opinion; but a plan of Representation proposed in America, which should embrace only one-eighth of the male population, would cause its author to be tarred and feathered. Standing in that House, as he did, the Representative of the working classes, he thought himself bound to inform the House of their feelings. He said, then, that, although the working classes were not anxious for the measure of his Majesty's Ministers, Gentlemen opposed to Reform must not lay the flattering unction to their souls—that, if this Bill was thrown out, any less measure of Reform would be acceptable to the people of this country. No doubt the people would rather have this Bill than none at all; but when it was passed, he was certain the right hon. Secretary-at-War would not be able to tell his constituents of Westminster, that they must be satisfied with septennial Parliaments. He was sent to that House, because he had been imprisoned for the sake of Reform; and the right hon. Baronet was sent there because he was imprisoned for a libel on the House, and the men who elected them both would not be satisfied without shortening the duration of Parliaments. He should sit down, by declaring that he intended to follow the example of the right hon. Baronet, (Sir Robert Peel), who said, that, as he had all along voted against the Bill, he should do so now; and as he had all along voted in favour of the Bill, he intended to do so on this, the third reading.

Colonel *Sibthorp* said, the right hon. Secretary for Ireland, who appeared to be the *Magnus Apollo* of the other side of the House, being put forward by Ministers, who justly felt their own incompetency to argue all difficult questions, was unable to touch a single point of the unanswerable speech of his right hon. friend, the member for Tamworth. During the three quarters of an hour he spoke, he did not advance a single argument bearing upon the Bill. He said a great deal about Sir Richard Steele, Sir Robert Walpole, and Mr. Hume, but he had said little about the present state of the country. The right hon. Secretary asked, indeed, what had paralyzed the trade of the country? If the right hon. Secretary had received such information as he had received that morning from his county, he would be able to account for it. [*Cries of "Question" and Murmurs.*] He begged leave to move, as he could not be heard, that the debate be adjourned.

No Member seconded the Motion, and it was not put. The House divided, on the question that the Bill be now read a third time: Ayes 355; Noes 239—Majority 116.

Bill read a third time, but not passed, as amendments were yet to be proposed.

List of the AYES.

ENGLAND.
Adeane, H. J.
Althorp, Viscount
Anson, Sir G.
Anson, Hon. G.
Astley, Sir J. D.
Atherley, A.
Baillie, J. E.
Bainbridge, E. T.
Barham, John
Baring, Sir T.
Baring, Francis T.
Barnet, Charles J.
Bayntum, S. A.
Beaumont, T. W.
Benett, John
Bentinck, Lord G.
Berkeley, Capt.
Bernal, R.
Biddulph, Robert M.

Blake, Sir F.
Blamire, W.
Blount, E.
Blunt, Sir C.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Briscoe, J. I.
Brougham, J.
Brougham, W.
Buck, L. W.
Bulkeley, Sir R. W.
Buller, J. W.
Bulwer, E. E. L.
Bulwer, H. L.
Bunbury, Sir H. E.
Burdett, Sir F.
Burrell, Sir C.
Burton, H.
Buxton, T. F.
Byng, Sir J.
Byng, G.
Byng, G. S.
Calcraft, G. H.
Calley, T.
Calvert, C.
Calvert, N.
Carter, J. B.
Cavendish, Lord
Cavendish, Hon. C.
Cavendish, H. F. C.
Chaytor, W. R. C.
Chichester, J. P. B.
Clayton, Col.
Cockerell, Sir C.
Coke, T. W.
Colborne, N. W. R.
Cradock, Col.
Crampton, P. C.
Creevey, T.
Cripps, J.
Cunliffe, O.
Curry, J.
Curteis, H. B.
Davies, Col. T. H. H.
Denison, J. E.
Denison, W. J.
Denman, Sir T.
Duncombe, T. S.
Dundas, Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Dundas, C.
Easthope, John
Ebrington, Viscount
Ellice, Edward
Ellis, Wynn
Etwall, Ralph,
Evans, Col. de Lacy
Evans, William
Evans, W. B.
Ewart, William
Fazakerley, J. N.
Fellowes, H. A. W.
Ferguson, Gen. Sir R.
Fitzroy, Lord J.
Fitzroy, Lieut. Col. C.
Foley, Hon. T. H.
Foley, J. H. H.
Folkes, Sir W.
Fordwich, Lord
Foster, J.
Fox, Lieut. Colonel
Franco, Sir R.
Gisborne, T.
Glynne, Sir S.
Gordon, R.
Graham, Right Hon. Sir J.
Graham, Sir S.
Grant, Rt. Hon. R.
Greene, T. G.
Grosvenor, Earl
Grosvenor, Rt. Hon. Lord R.
Guise, Sir B. W.
Gurney, R. H.
Handley, W. F.
Harcourt, G. V.
Harvey, D. W.
Hawkins, J. H.
Heathcote, Sir G.
Heathcote, G. J.
Heneage, G. F.
Heron, Sir R.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, Hon. W.
Howard, H.
Howard, P. H.
Howick, Viscount
Hudson, T.
Hughes, Col.
Hughes, Alderman
Hume, J.
Hunt, H.
Ingleby, Sir W. A.
James, W.
Jerningham, Hon. H. V. S.
Johnstone, Sir J. B.
Kemp, T. R.
King, Edward B.
Knight, Henry G.
Knight, Robert
Labouchere, Henry
Langston, J. H.
Langton, Col. Gore
Lawley, Francis
Lee, John L. H.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennard, Thos. B.
Lennox, Lord Arthur
Lennox, Lord G.
Lennox, Lord W.
Lester, B. L.
Littleton, E. J.
Loch, J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macaulay, Thomas B.
Macdonald, Sir J.
Marjoribanks, Stewart
Marryatt, J.
Marshall, W.
Mayhew, W.
Milbank, Mark
Mildmay, P. St. J.
Mills, J.
Milton, Viscount
Moreton, Hon. H.
Morpeth, Viscount
Morrison, James
Mostyn, E. M. L.
Newark, Viscount
Noel, Sir G.
North F.
Norton, C. F.
Nugent, Lord
Ord, Wm.
Owen, Sir John
Owen, Hugh O.
Paget, Sir C.
Paget, T.
Palmer, General C.
Palmer, C. F.
Palmerston, Viscount
Payne, Sir P.
Pelham, Hon. C. A.
Pendarves, E. W. W.
Penleaze, John S.
Penrhyn, E.
Pepys, C. C.
Petit, Louis H.
Petre, Hon. E.
Phillipps, Sir R. B.
Phillips, Chas. M.
Philips, Geo. R.
Polhill, Capt. F.
Ponsonby, Hon. J.
Poyntz, W. S.
Price, Sir R.
Pryse, P.
Ramsbottom, John
Ramsden, John C.
Rickford, Wm.
Rider, Thomas
Ridley, Sir M. W.
Robarts, Abraham W.
Robinson, Sir G.
Robinson G. R.
Rooper, J. B.
Rumbold, C. E.
Russell, Lord John
Russell, Sir R. G.
Russell, Lieut. Col.
Russell, Charles
Russell, W.
Sandon, Viscount
Sandford, E. A.
Schonswar, George
Scott, Sir E D.
Sebright, Sir J.
Skipwith, Sir G.
Slaney, R. A.
Smith, Hon. R.
Smith, G. R.
Smith, John
Smith, John A.
Smith, M. T.
Smith, R. V.
Spence, George
Spencer, Hon. Capt.
Stanhope, Capt. R. H.
Stanley, Lord
Stanley, Rt. Hon. E. G. S.
Stanley, J.
Stephenson, H. F.
Stewart, Patrick M.
Strickland, G.
Strutt, Edward
Stuart, Lord Dudley
Stuart, Lord P. J.
Surrey, Earl of
Talbot, C. R. M.
Tennyson, Charles
Thicknesse, Ralph
Thomson, Rt. Hon. C. P.
Thompson, P. B.
Thompson, Alderman
Throckmorton, R. G.
Tomes, John
Torrens, Col. R.
Townley, R. G.
Townshend, Lord C.
Tracy, Charles H.
Troubridge, Sir E.
Tufton, Hon. H.
Tynte, Charles K. K.
Tyrell, Charles
Uxbridge, Earl of
Venables, Alderman
Vere, James J. H.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, F.
Villiers, T. H.
Vincent, Sir F.
Waithman, Ald.
Walrond, B.
Warburton, H.
Warre, J. A.
Wason, W. R.
Waterpark, L.
Watson, Hon. R.
Webb, Col. E.
Wellesley, Hon. W. T. L.
Western, C. C.
Weyland, Major R.
Whitbread, W. H.
Whitmore, W. W.
Wilbraham, G.
Wilks, J.
Williams, Sir J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Winnington, Sir T.
Wood, C.

Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Agnew, Sir A.
Campbell, W. F.
Dixon, J.
Ferguson, R.
Fergusson, R. C.
Gillon, W. D.
Grant, Right Hon. C.
Haliburton, Hn. D. G.
Jeffrey, Right Hon. F.
Johnston, J. J.
Johnstone, A.
Loch, J.
Mackenzie, S.
M'Leod, R.
Morrison, J.
Ross, H.
Sinclair, G.
Stewart, Sir M. S.
Stewart, E.
Traill, G.

IRELAND.

Acheson, Viscount
Belfast, Earl of
Bellew, Sir P.
Bernard, T.
Bodkin, J. J.
Boyle, Lord
Boyle, Hon. J.
Brabazon, Viscount
Brown, J.
Browne, D.
Brownlow, C.
Burke, Sir J.
Callaghan, D.
Carew, R. S.
Chapman, M. L.
Clifford Sir A.
Coote, Sir C. H.
Copeland, Alderman
French, A.
Grattan, H.
Grattan, J.
Hill, Lord A.
Hill, Lord G. A.
Hort, Sir J. W.
Howard, R.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Lambert, H.
Lambert, J. S.
Leader, N. P.
Macnamara, W.
Mullins, F.
Musgrave, Sir R.
O'Connell, M.
O'Connor, Don
O'Farrell, M.
O'Neil, Hon. Gen. J.
Parnell, Sir H.
Ponsonby, Hon. G.
Russell, J.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Wallace, T.
Westenra, Hon. H.
White, Colonel H.
White, S.
Wyse, T.

Tellers.

Duncannon, Viscount
Rice, Hon. T. S.

List of the NOES.

Ashley, Lord
A'Court, Captain
Alexander, J.
Alexander, J. Du Pre
Antrobus, G. C.
Apsley, Lord
Ashley, Hon. H.
Ashley, Hon. J.
Astell, W.
Atkins, J.
Attwood, M.
Baldwin, C. B.
Bankes, G.
Bankes, W. J.
Baring, A.
Baring, H. B.
Barne, Capt. J.
Bastard, Capt. J.
Beckett, Right Hon. Sir J.
Beresford, Col. M.
Best, Hon. W. S.
Boldero, F. G.
Bradshaw, Capt. J.
Brogden, James
Brudenell, Lord
Burge, William
Burrard, George
Buxton, J. J.
Capel, John
Cecil, Lord T.
Chandos, Marquis
Cholmondeley, Ld. H.
Churchill, Lord C. S.
Clive, Viscount
Clive, Hon. R. H.
Cockburn, Rt. Hon. Sir G.
Constable, Sir C.
Cooke, Sir Henry
Courtenay, Rt. Hon. T. P.
Croker, Rt. Hn. J. W.
Curzon, Hon. R.
Cust, Hon. Col. E.
Cust, Hon. Capt. P.
Dawkins, James
Dering, Sir E. C.
Dick, Quintin
Domville, Sir C.
Douro, Marquis of
Dowdeswell, J. E.
Drake, T. T.
Drake, Col. W. T.
East, James B.
Eastnor, Viscount
Elliot, Lord
Encombe, Viscount
Estcourt, T. B.
Estcourt, T. H. S. B.
Fane, Hon. H. S.
Fane, Col. J. T.
Farrand, Robert
Fitzroy, Hon. H.
Foley, Edward T.
Forbes, Sir C.
Forbes, John
Forester, Hn. G. C. W.
Fox, S. L.
Freemantle, Sir T.
Freshfield, James W.
Goulburn, Rt. Hn. H.
Gordon, Col. J.
Gordon, John Adam
Graham, Marquis
Grant, Gen. Sir C.
Grimston, Viscount
Hardinge, Rt. Hon. Sir H.
Herbert, Hon. E. C. H.
Herries, Rt. Hn. J. C.
Hill, Sir Rowland
Hodgson, Frederick
Holdsworth, A. H.
Holmes, W.
Holmesdale, Viscount
Hope, Henry T.
Hope, John T.
Hotham, Lord
Houldsworth, T.
Howard, Hon. Col.
Hulse, Sir C.
Inglis, Sir R. H.
Irving, John
Jenkins, R.
Jermyn, Earl
Joliffe, Sir W. G.
Joliffe, Col. H.
Kearsley, John H.
Kemmis, T. A.
Kenyon, Hon. L.
Kerrison, Sir E.
Kilderbee, Sir H.
Knight, J. L.
Lascelles, Hon. W.
Legh, Col.
Lewis, Rt. Hon. T. F.
Loughborough, Lord
Lovaine, Lord
Lowther, Viscount
Lowther, Col. H.
Lowther, John H.
Luttrell, John F.
Lyon, D.
Mackillop, James
Mackinnon, W. A.
Mahon, Viscount
Maitland, Viscount
Malcolm, Sir J.
Mandeville, Viscount
Martin, Sir Byam
Mexborough, Earl of
Miles, P. J.
Miles, William
Miller, W. H.
Morgan, C. M. R.
Mount, W.
Neeld, Joseph
Nicholl, Right Hon. Sir G.
Nugent, Sir G.
Peach, Nathaniel
Pearse, John
Peel, Rt. Hon. Sir R.
Peel, Col.
Peel, W.
Pelham, J. C.
Pemberton, T.
Penruddock, J. H.
Perceval, S.
Phipps, Hon. Gen. E.
Pigott, G. G. W.
Pollington, Viscount
Porchester, Lord
Praed, W. M.
Price, R.
Pringle, Sir W.
Robarts, Wilson A.
Rogers, E.
Rose, Rt. Hon. Sir G. H.
Rose, Capt. Pitt
Ross, C.
Ryder, Hon. G. D.
Sadler, M. T.
Scarlett, Sir James
Scot, Sir S.
Severn, J. C.
Seymour, H. B.
Sibthorp, Colonel C D. W.
Smith, A.
Smith, S.
Somerset, Lord G.
Stewart, Charles
Stormont, Viscount
St. Paul, Sir H. D.
Sugden, Sir E. B.
Taylor, George W.
Thynne, Lord H. F.
Thynne, Lord John
Townshend, Hon. Col.
Trench, Col. F. W.
Trevor, Hon. Arthur
Tunno, Edward R.
Ure, Masterton
Valletort, Viscount
Vaughan, John E.
Villiers, Viscount
Vyvyan, Sir R.
Wall, Charles B.
Walsh, Sir John
Warrender, Sir G.
Welby, Glynne E.
West, F. R.
Wetherell, Sir C.

Weyland, John
Williams, Robert
Wood, Col. Thomas
Worcester, Marq. of
Wortley, Hon. J. S.
Wyndham, Wadham
Wynn, Sir W. W.
Wynn, Rt. Hn. C.
Wynn, C. W. G.
Yorke, Capt. C. P.
Yorke, J.

SCOTLAND.

Arbuthnot, Hon. General H.
Balfour, J.
Blair, William
Bruce, C. C. L.
Cumming, Sir W.
Dalrymple, Sir A.
Davidson, Duncan
Douglas, W. R. K.
Dundas, Robert A.
Gordon, Hn. Capt. W.
Graham, Ld. M. W.
Grant, Hon. F. W.
Hay, Sir J.
Lindsay, Col. James
Maitland, Hon. C. A.
Murray, Sir G.
Pringle, Alexander
Ramsay, Williams
Scot, H. F.

IRELAND.

Archdall, Gen. M.
Bateson, Sir R.
Blaney, Hon. Capt. C.
Brydges, Sir John
Castlereagh, Viscount
Clements, Col. J. M.
Cole, Lord
Cole, Hon. Arthur
Conolly, Colonel
Cooper, Edward J.
Coote, Eyre
Corry, Hon. H. L.
Ferrand, Walter,
Fitzgerald, Sir A.
Gordon J. E.
Hancock, R.
Hayes, Sir E.
Ingestrie, Visc.
Jones, Theobald
Knox, Hon. John H.
Lefroy, A.
Lefroy, Dr. T.
Maxwell, H.
Meynell, Capt. H.
Perceval, Col.
Pusey, Philip
Rae, Sir W.
Rochford, Col. G.
Shaw, F.
Tullamore, Lord
Wigram, W.
Wynne, John
Young, J.

TELLERS.

Dawson, G. R.
Clerk, Sir G.

List of Thirteen pairs.

For the Bill.	*Against the Bill.*
Chichester, Sir A.	Bateson, Sir R.
Clive, E. B.	Beresford, Sir J. P.
Doyle, Sir J. M.	Clive, H.
Ferguson, Sir R.	Clinton, C.
Fitzgibbon, Hon. R.	Dugdale, W. S.
Godson, R.	Forbes, Viscount
Knox, Hon. J. H.	Hope, Hon. Sir A.
Newport, Sir J.	Pollock, F.
Peel, Edmund	Stewart, Sir H.
Portman, E. B.	Sym, W.
Tavistock, Marquis of	Thynne, Lord E.
Williams, J.	Williams, T. P.
Wood, J.	Wrangham, Digby, C.

HOUSE OF LORDS,

Friday, March 23, 1832.

MINUTES.] Petitions presented. By the Earl of MALMSBURY, from the Licensed Victuallers of the Isle of Wight, for a Revision of the Law imposing Liabilities for the Loss of Property by Persons in their Houses:—By Lord TENTERDEN, from the Rev. Bouchier Wray, for the introduction of a Clause into the Plurality of Benefices Bill, to enable him to hold two Livings:—By the Earl of RODEN, from the Inhabitants of Wethersfield, Essex, Wickambrook, Stradeshall, Hawkdon, Deuston, Wimborne, Pentione, and Tynemouth, against the proposed Plan of Education for Ireland:—By Lord KING, from the Inhabitants of Dewsbury, in favour of the Plan; and from the Inhabitants of Ahina, Taghmon, Carlingford, Maghera, and Killelagh, for the Abolition of Tithes in Ireland.

CHURCH ESTABLISHMENT.] Lord *King* said, he had several Petitions to present, praying for a Reform in the Church Establishment, as well as for a Reform of Parliament; they were from the inhabitants of Bentley, Arksey, and Pencyd, with regard to a Reform in the Church Establishment, to which subject he should confine the few observations he wished to make. He had no doubt from the feeling that was abroad, that their Lordships' Table would be covered with petitions, praying for such a reform, and he thought it was high time that a revision of that Establishment, particularly of the laws relating to tithes, took place. Although the amount taken was within the legal demand, and that it was collected with great lenity, particularly in Ireland, yet many serious grievances were caused by the vexatious law proceedings, to which, those were exposed who were unable to pay the tithes. The complaints against tithes came he was ready to allow, chiefly from Ireland, yet there were several petitions on the subject from England, and the right reverend Bench might be assured that the attention of the public to this matter was only delayed until the Reform question was disposed of. There were already papers published detailing individual cases of hardship in England; one of which, he held in his hand, and which was authenticated by the signatures of the Churchwardens and Overseers of a parish in Dorsetshire. From this paper, it appeared, that a farmer of the name of Roberts had been charged 62*l.* as tithe upon 112 acres of land; on his refusal to pay that sum, requiring the tithe to be taken in kind, litigation was resorted to, and an immense expense incurred, which brought odium on the whole system. He did, therefore, presume to exhort the right reverend Bench, if they and their clergy were anxious not to be placed in the same situation as their brethren in Ireland, to take warning and not push their rights to extremity, otherwise the consequence, he was afraid, would be, that the opinion that all Church property was public property would obtain such head, founded as it was, upon correct and true premises, that the rights of the clergy must wholly sink under it. He advised the right reverend Bench, therefore, to take care, that the grievances attached to the collection of tithes should be remedied.

Lord *Wynford* did not rise to object to the petitions being placed upon the Table, but to complain of the sentiments which the noble Baron had uttered on presenting them, and of his attacking a man in his absence. The rector of the parish from whence the complaint which the noble Baron had detailed proceeded, would have good reason to complain, that he was injured by an *ex parte* statement. If he had exceeded his lawful claims, the Courts of Law were open to his opponents, and there was no doubt they would obtain justice; and it would have been much more manly and honourable for the Churchwardens and Overseers to have taken a legal course than to endeavour to excite the passions of the people by the publication of hand bills.

Lord *King* said, he had avoided attacking individuals, by not naming the parish where the occurrence happened. As to the noble Lord's remark respecting the Courts of Law, he ought to know that a man might be ruined by attempting to defend his own. Such Courts were admirable places for the rich and powerful, but they were no shield to the poor man. He had another case which he wished to remark upon, it was one where the vicar only came once a-year to receive a tenth of the produce of the land, where the church-service was performed only at such times as suited the convenience of the clergyman, and where the Bishop of the diocese was a non-resident.

The Marquis of *Salisbury* begged to ask the noble Baron, before he proceeded further in his case, if he had a petition from the parish or the individuals who felt themselves grieved?

Lord *King* had no petition, he merely stated the fact incidentally on presenting other petitions.

The Marquis of *Salisbury* understood, from that answer of the noble Baron, that he had thought fit to bring an accusation against an individual, who, had no opportunity to defend himself, and, at the same time, without having a petition from the parties concerned.

Petitions to lie on the Table.

Pluralities Bill.] On the Motion of the Archbishop of Canterbury, the Order of the Day was read for the House to go into Committee on this Bill.

The Archbishop of *Canterbury* said, that he felt himself called upon to offer a few observations on the objects and principle of the Plurality of Benefices Bill, on moving that their Lordships should then resolve themselves into a Committee to consider that measure. As those objects and that principle had been fully discussed in the last Session of Parliament, he did not consider it necessary, on the second reading of the Bill, to enter into any explanation of its details; but, as a noble Lord, on a former night, had brought forward amendments, which, in point of fact, went to effect an entire alteration of the measure; and as that noble Lord at the same time, accused him of practising a delusion on their Lordships, in vindication of himself, and of the motives by which he was actuated, he begged to be permitted to say a few words upon the present occasion. So far back as the reign of Henry 8th, previous to which the regulation of the Church, as regarded pluralities, was under the canon law, which was opposed to pluralities of all kinds, the first Act was passed on this subject. By that Act—the 1st Henry 8th—all persons holding benefices valued at 8*l.* a-year in the King's books, were prevented from holding any other benefice, except by dispensation. A great number of persons, however, who were in possession of certain qualifications, were allowed to hold two benefices; members of the Council were able to hold three, and King's chaplains could hold any number to which it was the pleasure of the Crown to appoint them, without regard to their value. With these exceptions, no person could hold more than one benefice with cure of souls of 8*l.* a-year. There were other livings under the value of 8*l.* a-year, which were left in the same state as before, under the canon law, which, though it prohibited pluralities altogether, was so inefficient, that persons could hold any number of livings under 8*l.* a-year at any distance, under such qualifications as would enable them to hold an ordinary living. Another clause of that Bill permitted deans of cathedrals, and collegiate bodies, to make their own regulations in respect of their own estates, or left them to the operation of the canon law. With these exceptions, and the exception of members of the council, and King's chaplains, who might hold any number of livings, all persons were prohibited from holding two benefices, with cure of souls of the value of 8*l.* a-year. The Bill which was on the Table provided, that a space of not more than thirty miles should intervene between two livings held in plurality, this regulation would have the effect of reducing the present pluralities nearly two-thirds. There was also another important alteration, which, he thought would be considered an improvement, namely, that the office of King's chaplain would not give a title to hold in connexion with it any Church preferment: that office would in future give no advantages beyond those enjoyed without it. It had been found, after the most mature reflection, necessary to make provision for enabling incumbents of the poorer livings to pay their curates. In making that provision, it was necessary to bear in mind that the valuation of livings in the King's books was no sufficient guide in the present day, and the fact he conceived, would afford a sufficient answer to most of the objections that had been urged on that subject; but the conclusive answer which this Bill gave to the chief objection to pluralities was to be found in the enactment that no ecclesiastical person should hold more than two livings, and those only within a distance of thirty miles. It was, he apprehended, no valid objection to this measure, that it did not accomplish that which it did not profess. As to the dignities held in the cathedral churches, he had only to observe that they were of various values, and they could not impose any further restriction upon them than the Bill contained. He was aware that there were anomalies and imperfections in the existing system, and he was far from saying that this Bill would remedy them, or that any Bill could advantageously remove them all, but here they had one most important step taken, and that he hoped, might enable them hereafter to go further in the same path. The noble Lord who had moved the amendments to which he had already adverted, had spoken of this Bill as a delusion, and had declared that it left monstrous abuses remaining which it ought to have remedied. He stated that the bishopric of Winchester, the deanery of Durham, and a variety of other preferments, might be held by one and the same person. He (the Archbishop of Canterbury) admitted that in the present state of the law, these were possibilities which this Bill did not guard against. He confessed that abuses of authority might occur, which, as no rational man had ever committed, so no rational man would ever think of guarding against. They did not, in preparing this Bill, calculate all possible contingencies—they did not aim at combating shadows, or fighting with windmills. Again, the House heard a very good speech from the noble Lord against the practice of Bishops holding livings *in commendam*, but that had nothing to do with the present question; for this Bill professed to deal with pluralities of another class, and with them it did successfully deal. The speech of the noble Lord did not really, for the purposes of the Bill then before them, require much reply, for it was beside the question; but with respect to his Amendments, he would with the permission of their Lordships, go through some of them. The noble Lord, in the first place, proposed to enact that, from and after the passing of the Bill, 'It shall not be lawful for any Archbishop 'or Bishop actually exercising episcopal 'jurisdiction, or enjoying the revenues of 'any diocese, to accept or retain any benefice with the cure of souls, either *in commendam* or otherwise, or to hold any 'other dignity or ecclesiastical preferment.' He presumed the word Archbishop was here introduced as a word of course, for it never could for a moment be supposed, that the Archbishop of York or the Archbishop of Canterbury, would hold a benefice *in commendam*. In fact this was a clause guarding against the abuse of the Royal Prerogative in a case where there was not the least imaginable probability that it would be abused. There was next an amendment to clause 3, which said, 'Provided always, and be it further enacted, that it shall and may be lawful for 'any Archbishop or Bishop, the revenues of 'whose diocese do not exceed 3,500*l*., to 'hold *in commendam* any dignity or ecclesiastical preferment without cure of souls, 'provided the gross annual value thereof, 'together with the revenues of his diocese, 'shall not amount to more than 4,000*l*. annually, and that he shall pay over the 'surplus, if any, to the Governors of Queen 'Anne's Bounty, to be by them appropriated, with the sanction of the Archbishop 'of Canterbury, to the augmentation of 'bishoprics under the annual value of '3,500*l*.' He must be allowed to say, and he trusted most of their Lordships would concur with him, if they would only consider the unavoidable expenses which a Bishop must incur—the expenses he was put to in maintaining more than one residence—in visiting the several portions of his diocese from time to time—in subscribing to every charity within his diocese—in relieving the poorer clergy—in educating and establishing his sons, besides making some provision for his family after his death—that was fixing the revenue of a Bishop too low. He was aware that it had been said, that the income which the noble Lord fixed for a Bishop was as much as a Judge generally had, but it should be recollected that a Judge stood in a very different situation from that of a Bishop. When one of the parochial clergy became a Bishop, he found himself transferred from a situation in which his income scarcely equalled his necessary and proper expenditure; but what was the fact with respect to a Judge? He was transferred to a situation of less labour perhaps—of more dignity certainly; his former position being one not entailing much expense, and giving facilities for the accumulation of a fortune: whereas the situation of a Bishop was widely different; he was from the outset surrounded with circumstances calculated to create pecuniary embarrassment. The expenses of his entrance upon his sacred duties were in themselves of no small amount, and even though he should exercise all the economy that was consistent with the feelings of a liberal mind, he would still find it extremely difficult to maintain those appearances which his situation required. From his own experience, and the evidence of facts, he could affirm, that, if the incomes of the Bishops were to be regulated according to the rules laid down by the noble Lord, much of the usefulness and dignity of their station in the Church would be at an end. With respect to livings *in commendam*, he begged to mention one consideration, while he was upon the subject, which was not altogether unworthy of attention—it was, that those livings might in some sort, be said to possess the advantages of two rectors, for Bishops always paid their curates larger salaries than other holders of benefices. He considered that the whole of this enactment directed against livings *in commendam*, was unnecessary, and it might prove mischievous. There was no case in which a living happened to be held *in commendam* in which, if it were necessary to separate it, the separation might not be effected without the aid of this enactment; and further, he did not see that any of the amendments would have the effect of preventing unnecessary translations. The third Amendment proposed by the noble Lord was as follows:—'And be 'it further enacted that if any spiritual 'person having a deanery, prebend, or 'canonry, or any precentorship, treasurer'ship, subdeanery, chancellorship, or any 'wardenship, or fellowship in any cathedral 'or collegiate church; or any dignity, be'nefice, or ecclesiastical preferment, either 'with or without, any cure of souls, shall 'after the passing of this Act, accept, or 'be admitted to any other deanery, prebend, 'or canonry, precentorship, treasurership, 'subdeanery, wardenship, or fellowship, in 'any cathedral or collegiate church, or any 'other dignity, benefice, or ecclesiastical 'preferment, either with, or without cure 'of souls; then, and immediately after 'such acceptance or admission, the first 'deanery, prebend, or canonry, precentor'ship, treasurership, sub-deanery, chancel'lorship, wardenship, or fellowship in any 'cathedral or collegiate church, or other 'dignity, benefice, or ecclesiastical prefer'ment, either with, or without cure of souls, 'shall be *ipso facto* void.' On this Amendment it was needless to say much: it spoke for itself; and it was one, the adoption of which, he thought, but few of their Lordships would be disposed to agree to. One of the most extraordinary propositions ever made to that House, was contained in the proposed Amendment to clause 9, the object of which was, to give power to the Archbishop of Canterbury, in certain cases, to grant license or dispensation for holding two benefices, whose joint value did not exceed the amounts therein specified; and then this proposed amendment said, that such person who shall have obtained the degree of Doctor of Divinity with a certificate from the Archbishop of Canterbury, and solemn declaration inserted in the testimonial thereof, that the same was not conferred from partiality or affection, entreaty or interest, but purely and solely from a conviction of the graduate's pious zeal, theological knowledge, and pastoral aptness to accept and hold such benefice, provided the population of one of such benefices shall not exceed 500 souls, and the joint annual value of such two benefices, &c. No noble Lord could imagine that the Archbishop of Canterbury had the means of granting those certificates upon his own knowledge. In all such cases he must rely upon the testimonies supplied to him by others. He trusted he had never shown a disposition to shrink from any burthen, duty, or reasonable responsibility, belonging to his situation; and he did persuade himself that, in objecting to this it would not be thought that he was departing from that which had ever been his practice; but it was a duty which he owed not merely to himself, but to his successors, to protest against such a clause. Under this Amendment the Archbishop of Canterbury would be required not only to judge of the knowledge, but of the intellectual, moral, and even physical, qualifications, of the persons presenting themselves as candidates. This was almost impossible; and, if possible, it would not be useful. Their Lordships must also see, that the provision which the noble Lord would make for the parochial clergy, or rather the *minimum* to which he would reduce them, was quite inconsistent with the maintenance of a family, or with their comfortable and respectable living. With any observations on this topic it was not necessary to trouble the House, as the plan proposed conduced neither to the real object of the Bill, nor to the diminution of pluralities. The proposed Amendment to Clause 11, was this—'And be it further enacted, 'that, from and after the passing of this 'Act, every Archbishop and Bishop shall, 'on or before the 1st day of July in every 'year, make to the Archbishop of Canterbury, to be by him transmitted, together 'with the like return from himself to his 'Majesty in Council, on or before the 25th 'day of March, a return of the gross annual revenues or emoluments of his 'diocese, from whatever source derived, 'during the succeeding year; and also 'specifying the name and value of any 'dignitary, benefice, or ecclesiastical preferment, held therewith; and that every 'other spiritual person shall make a like 'return of the name, and true and full 'value of any dignity, benefice, or ecclesiastical preferment, held by him to the 'Bishop of the diocese in which it is situated, to be by him transmitted to the 'King in Council, on or before the aforesaid 25th day of March.' He would appeal to the noble Lord, whether such a clause as this ought to be introduced into the Bill—supposing such a measure to be advantageous (and he, for one, should not object to ascertain the value of all emoluments possessed by dignitaries of the Church) it ought rather to form the subject of a separate substantive Bill, than to be thus introduced into a measure which had another object in view. He repeated that he was most anxious to have the amount of Church property ascertained, for there had been gross and scandalous exaggerations on the subject; and he had no doubt that the proposal contained in the noble Lord's Amendment would soon be acted on; but this mode of doing it appeared in the highest degree exceptionable, for it could not fail to lead to frauds in a variety of ways. A discretionary power was given to the Archbishop of Canterbury, as to granting or withholding dispensations; and of course he would take, in every case, the value of the benefice, as well as all other circumstances, into consideration; but it would be quite impossible for the Legislature to adopt any principle, if the living were under the value of 8*l*., of making value the criterion, without having some documents before it. He was most desirous that such an inquiry should be instituted, in order to show the gross misstatements that were disseminated, through the medium, chiefly of cheap pamphlets, but they were reiterated at public meetings, by persons who did, and ought to know better. This mode of proceeding, he verily believed, was adopted in order to place the Church in an invidious point of view. It was asserted in some of these pamphlets, and had been repeated at certain meetings, that the revenues of the Church were 9,000,000*l*. per annum; but whenever a return of the ecclesiastical revenues should be made, they who had put forth, and those who had believed such exaggerations, would look at that return with no small degree of surprise, and would find how egregiously they had been deceived. The Church had nothing to fear from inquiry; and he had every reason to hope that means would be taken to ascertain what its revenues actually were. The mode which the noble Lord had suggested of annual returns, was not the best that could be desired for that purpose, because such returns would be attended with great inconvenience, and they would be extremely difficult to make out correctly, even by those who wished to act most honestly. He would spare their Lordships from going into the other parts of the Bill, and would only refer to the clause which took away from their Lordships the privilege of appointing chaplains.

He trusted their Lordships would believe that he was the last man to wish to interfere unnecessarily with their privileges; or to bear hard upon any members of the clergy. As the value, however, of such appointments was merely imaginary, he had no doubt their Lordships would willingly resign such privileges for the good of the Church. As for himself, so far as the Bill was concerned, he had encountered so much opposition that he was almost disheartened. In attempting to please everybody as far as possible, he had stirred up opponents on all sides, without forwarding his object. This was the third Session the Bill had been before Parliament. He would, however, conclude, by moving that their Lordships go into Committee, where they might deal with the Bill as they thought best.

Lord *Suffield* begged it to be understood that he was far from courting the task of Church Reformer, and that he exceedingly regretted that the duty, the conscientious duty, of exposing the—he would not say premeditated frauds, but the—gross delusion which the present Bill was calculated to create in the public mind, had not devolved upon some noble Lord more competent than he was, to discharge it with efficiency. He called the Bill a delusion, not that he was anxious to use harsh epithets in speaking of any measure to which the most reverend Prelate was a party, but because no other word occurred to him so expressive of its true character. It was a gross delusion upon the public, because, under the pretext of checking the system so baneful to the interests of true religion and the Protestant Church—that of benefice pluralities—it, in point of fact, perpetuated the worst features of that system, while it tended to aggravate the hard condition of the working and poorer clergy. Thus, under the semblance of a general good, much public evil and private injury would be perpetrated; and this, forsooth, was a proof of the earnest desire of the Church dignitaries to ameliorate the defects of the existing system. For instance, the Bill enacted that no person should hold a second living, if his first was worth 400*l*. a-year, except—and he begged their Lordships to mark the exception, which ought to have been called the rule—the incumbent be a "Master of Arts." Now, all the higher clergy and dignitaries were Masters of Arts, while many of the poorer working clergy had taken out no degree in arts higher than that of Bachelor, and some no degree at all; so that, in point of fact, the clause would oppress the poorer clergy, while it aggrandised the more wealthy. He would propose that a theological qualification, to be determined by the most reverend Prelate himself, should be substituted for the master's degree as the ground of exception. Then the Bill went to continue the privilege of Bishops being permitted to hold livings *in commendam*, without taking into account the proximity of those livings to their sees, or whether it was physically possible they could honestly discharge their sacred duties as Bishops and as rectors. And here again there was a striking proof of the tendency of the Bill to perpetuate the monopoly which the higher dignitaries possessed of the loaves and fishes of the Church, while it pressed upon the poorer working clergy with additional severity. He confessed he was anxious for the Reform of so unjust a system, and, being of opinion that Church property was held in trust for the public good, he would zealously co-operate in promoting any measure which would improve the condition of the working clergy, by bestowing upon them a portion of the superfluities possessed by the higher dignitaries to the disadvantage—nay, disgrace—of true religion. His object, be it understood, was not to subvert, far less to commit a spoliation of Church property, but to effect a more just and efficient distribution. The interests of the Church itself, and of the religion for the advancement of which the Church was established, demanded that there should be such an improved distribution of its revenue; and such a distribution would, he thought, be better effected by the measures which he recommended, than by the Bill as it stood at present. In that House, and in other places, his Majesty's Ministers had been reproached—and, he admitted, without just grounds—as being regardless of the interest of religion. For his own part he took shame to himself that he had been, as he thought their Lordships had all been, too long regardless of the abuses to which he had just referred. He should be glad, therefore, to see the Ministers disprove the justice of the reproaches cast upon them, by taking the matter into their own hands, and bringing forward a measure for the more equal distribution of the revenues of the Church. The Church had been left too long to regulate itself, and the Prelates had not shown that they were the best qualified to legislate for themselves. But the state of the House at that moment showed that there was still a disposition to leave, in a great measure, those matters to their judgment, and there certainly was an abundance of the Bishops then present. But on the preceding evening the attendance of lay Lords was much more numerous. Now, as far as the Bill affected the Bishops, he could not approve of the omission of all restraint upon the holding of benefices *in commendam*. To remove that defect was the object of the first amendment which he intended to propose in the Committee. He would allow the Bishops and dignitaries a decent, nay, a splendid income (he would not stickle for the exact sum of 3,500*l.*, but would leave it to the Bishops themselves to fix a sum which they would consider a fair remuneration for the labours and dignity of a See); but he had yet to learn that providing large incomes in addition for their sons and daughters, constituted the chief object for which Parliament originally invested the Church with its enormous revenues. The right reverend Bench might depend upon it, that their united zeal, sustained, as it was, by such strong feelings of self-interest, could not long maintain the present overgrown anomalies, and superfluities, and bloated incomes of the Church dignitaries, in opposition to public opinion, urged on by common sense and common justice. It might be very well for the right rev. Prelate (the Bishop of London) near him to say, that he felt himself entitled by usage to hold one or two livings *in commendam*, in addition to his former See; but enlightened public opinion would not be satisfied unless he could show that he could be in Bishopsgate in London, and Chesterton in Cambridgeshire, and the city of Chester at the same time; and that the labours of each were comparatively trifling, and that it was wise and equitable that he should be receiving the incomes of these three extensive and very distant incumbencies, while most probably the three working clergymen, who did the actual duty did not receive a decent competency. He also should have to propose an amendment to the clause which made thirty miles the definition of "contiguous parishes." It appeared to him that the distance might as well have been fixed at 300 miles, so far as the possibility of one man's being able to efficiently discharge the duties of his livings not actually and conveniently adjoining to each other was concerned. Where the livings were small, and so closely connected as to permit the duties to be regularly performed, such unions might often be effected without inconvenience, and they would afford the means of providing for those clergy whose poverty was a disgrace to the Church. The third amendment which he should propose would be, a diminution of the value of the livings which might be held together. He did not deny that there were poor Bishops. But that was one of the evils which he was desirous of seeing removed; and he was not convinced by anything which he had heard that the great revenues of the richer Prelates were absolutely necessary to the adequate support of the dignity of their respective Sees. He did not doubt that they were hospitable. But their hospitality was very different from the hospitality of the Bishops of former times. He had no doubt that the Bishops were still very hospitable in the entertainment of their private friends and connections, and that their mansions in town and in the country were liberally provided for the accommodation of their guests. But the tables of the earlier Prelates were spread for the stranger and the poor, and the pilgrim and friendless traveller found shelter under their truly hospitable roofs. With respect to the poorer clergy of the present times, he sincerely sympathised with the reverend Prelate (the Archbishop of Canterbury) in his compassion for those gentlemen; and he would confess, that he wondered not a little why it was, that those who could compassionate so deeply, and describe with so much force and feeling the unhappy circumstances of these gentlemen, did not propose some effective measure for their relief. He had not risen to oppose the Motion for the Committee, but only to explain the nature of the amendments which he was desirous to see adopted; and having done so, he would trespass no further on the time of the House.

The Bishop of *Durham* objected to the value of benefices being taken as the standard to determine whether they should be held by one individual. He considered that a dangerous principle to be adopted. It amounted to something like spoliation. If it was expedient to limit the incomes of spiritual persons, this was not the way it ought to be done, for if the principle was once admitted there could be no bounds set to its application. The evil of pluralities was not so much in the amount of the income of the person holding them, as in their occasioning non-residence. That was an evil which it was very difficult to correct, and it seemed to him that the only way in which it could be corrected was by a measure such as the Bill of the Rev. Prelate, which their Lordships were then called upon to consider. That Bill made no distinction as to the value of livings; but it would prevent the holding of two benefices which were so distant from each other as to prevent the incumbent from properly discharging his duties; and it allowed the union of livings which were within a reasonable distance, without regard to their value. He preferred that arrangement to the proposition of the noble Baron (Lord Suffield).

Lord *Wynford* concurred with his right rev. friend (the Bishop of Durham), in thinking that the whole question was one of distance, and not of the value of benefices. He saw no difference whether two livings held by one individual were distant thirty miles or a hundred miles. In either case he could not efficiently discharge his duties in both. As there was an inquiry pending into the state of the property of the Church, he would strongly recommend the most Rev. Prelate to withdraw the Bill until the House was in possession of full information on that subject, when they would be better able to judge as to what benefices it was expedient to unite.

The Archbishop of *Canterbury* could not act on the suggestion of his noble and learned friend. After the Bill had gone so far, and so much expectation had been raised respecting it, he should be sorry that any act of his should set it aside.

Lord *Wynford* continued. As the most Rev. Prelate was determined to proceed, he would, therefore, state his objections to the Bill at present. There were but three points in the Bill in which it differed from the law as it stood already. They were, therefore, going to make a new law for that which was already the law. The first alteration which the Bill made in the existing law was the removal of the privileges of chaplains and of the sons of Peers. To that he would not object, for he thought that if the son of a Peer had not the ability or the industry to obtain his degree, he ought not to be endowed with a plurality of benefices. The second novelty in the Bill was that which related to the distance of benefices; and the third was the giving the Archbishop of Canterbury a discretion as to requiring residence for a part of the year, and to this also he agreed. The subject of distance was only known to the Canon-law, but the Common-law did not recognize it, and the limitation of forty-five miles was only known to the Canon-law. To the present alteration he altogether objected, for the difference of distance he did not apprehend could weigh much in a religious point of view, and this was an unnecessary interference with the rights of property. If a gentleman was desirous of bringing up his son to the Church, and if, therefore, having in his own gift a living of small value, he had, before the introduction of the present Bill, or say ten years ago, purchased the advowson of another living with the intention of giving to his son a competent income from the two; by the operation of that Bill his intentions would be frustrated; if it should so happen that the purchased living was at a greater distance than the thirty miles contemplated. Thus the property purchased with this view would be done away, violating vested rights, and injuring the cause of religion. The Church itself would lose the advantage of having amongst the clergy men whose family connections, as well as their superior education, enabled them to promote greatly the honour of the Church and the interests of religion. Gentlemen of fortune had the best opportunities of giving their sons the education which should qualify them to be ornaments to the Church and efficient ministers of religion. Thus this alteration might deprive the Church of some of its most valuable members. And what would be the effect in such a case as he had mentioned? Why, this—that the presentation would be sold to the highest bidder, and let in perhaps a class of persons who would only be anxious to obtain an adequate return for the money they had paid, instead of gentlemen who would be likely to be more liberal, from not having paid anything for their benefices. The Bill would do injury to the Church of England, which he declared had produced more able men than any other profession in the world. He knew that many entered into this profession with higher motives than mere ambition or desire of gain; but still men of abilities would not enter into it, if they were to be excluded from the hope of adequate reward. The bill would not maintain the hierarchy in that degree of splendor in which they ought to be supported, and he lamented its introduction upon that account.

The Bishop of *London* wished to say a few words in reply to some of the observations which had fallen from his noble and learned friend, who had last addressed the House as he knew him to be a sincere friend to the Church. It was with surprise, he had almost said with pain, that he heard his noble and learned friend remark, that he was opposed to the Bill because it would operate as an infringement upon the rights of property. If that objection were well-founded, it would have with him (the Bishop of London) very great weight. If he could believe that the Bill invaded the rights of property to the extent which his noble and learned friend seemed to suppose, he should hesitate much before he gave it his support. But if it did in any degree interfere with the rights of property, the interference was only for the present. In the case which the noble Lord supposed of a person having the gift of a living, and purchasing another for the purpose of conferring the two benefices on his son, but being prevented from doing so by the Bill, on account of the distance between the two benefices, no infringement of the rights of property would occur. The noble and learned Lord must be aware that the value of an advowson was increased in proportion to the age of the incumbent; and, therefore, if the benefices in the case supposed could not be bestowed according to the original intention of the purchaser, he could obtain his money back with interest by a resale. He agreed with the noble and learned Lord that it was of great advantage to the Church that the sons of the nobility and gentry should choose it as a profession. He had not the honour to be connected with any one of those families in the most distant degree, and, therefore, he might with propriety be allowed to bear his testimony not only to the splendor which the Church derived from having in the ministry persons of high rank, but to the services which were rendered to religion by their learning, piety, and zeal. He was aware of the advantages, and he did not apprehend that they would be diminished, or that a less number of the sons of noble families would go into the Church in consequence of any effects of the Bill. Looking to the profession of which his noble friend (Lord Wynford), was himself a distinguished ornament, he saw that young men of the higher ranks of society went into it without an expectation of obtaining its richest rewards; but he trusted that young men went into the Church with higher motives than the noble Lord supposed, even though they might have their eye upon its richest rewards at the same time. He agreed that it would be difficult for a clergyman to attend to the duties of two parishes thirty miles apart, and he should be happy to support any proposition by which a better arrangement could be effected.

Lord *Tenterden* said, it was hardly fair to call the Bill a delusion, for he believed it would effect the object intended. At the same time he must declare, that it would be impossible for any Archbishop of Canterbury to ascertain the value of livings either to his own satisfaction or that of any body else in the present state of the law. At that hour it was impossible to have the bearings of the Bill and the Amendments adequately discussed. He, therefore, begged leave to suggest the propriety of postponing the Committee.

Lord *King* thought it was somewhat extraordinary to hear the very Rev. Prelate (the Archbishop of Canterbury), in the present state of public opinion respecting the revenues of the Church, say, that an income of 4,000*l.* a-year was inadequate to the support of a Bishop. He thought that was an extraordinary argument to adduce in defence of the fifteen benefices held *in commendam* by the Bench of Bishops. The most Rev. Prelate also considered 1,000*l.* as rather little for the comfortable support of one of the parochial clergy having a large family to provide for. As that was the most Rev. Prelate's opinion, he would recommend him to take into consideration what had been said last year by a noble Lord on the opposite benches, that the average income of the parochial clergy was no more than 185*l.* a-year each. What truth there might be in that statement, he could not say. He would leave it to the noble and learned Lord opposite (Lord Wynford) and the most Rev. Prelate to settle between them. He thought it would be a very proper mode of raising those lower livings and lifting the poor clergy from their poverty, to take something from the large revenues of the Bishops. In that way the incomes of the parochial clergy might very well be raised to the standard fixed upon by the most Rev. Archbishop. He should like to see the Bishops come forward generously of themselves, and make that spontaneous sacrifice of their superfluities. It would be a great relief to their consciences, and it might be all the better for their souls hereafter, that they should have given up that which they ought never to have received. The most Rev. Prelate complained that the Bill had been called a delusion. It was nothing else. It professed to take away, the privileges which the Act of Henry 8th gave to the Chaplains, and to the sons of the nobility. That was one of its first provisions. Well, and what did it provide next? Why, it gave to every Master of Arts that same privilege of holding two benefices; thus with one hand closing a door, and with the other opening it much wider than before, for the Masters of Arts were a more numerous class than the Chaplains and sons of Peers. Besides the Bill might operate to give those same persons whose privilege it professed to take away, the same rights in another manner, for it gave the privilege of holding two livings to every person whom the Bishop of his diocese might recommend to the Archbishop of Canterbury. That most Rev. Prelate said, 'For God's sake don't 'throw upon me the responsibility of 'creating pluralists; let somebody else 'have the responsibility, though I have the 'power of conferring the appointments?' But the most Rev. Prelate did not object in the same way to have the responsibility which was attached to the power of uniting large benefices. Now, that was a responsibility from which he would be very happy to see the most Rev. Prelate relieved. The Canon-law forbad pluralities. But abuses had grown up from time to time, not only in the Church of the Pope, but in the Established Church of England. The Pope encouraged abuses; and the Church of England encouraged abuses; and what reason was there why the Church should not be brought back to the good old Canon-law, which would extinguish the abuses? If the pluralities were to be maintained, he did not see any necessity for burthening the Archbishop with the responsibility of creating them. If there was any uncertainty as to the value of the livings, let there be a valuation, which would remove the uncertainty. But the most Rev. Prelate was afraid that if there were a valuation, the clergy would make false Returns. Perhaps they might do so. Indeed, he thought they would do so; and to prevent it he brought in a Bill last year to compel them to make a correct Return, by giving their respective parishes the power to tender the amount of the valuation in commutation for tithes and dues, and binding them to accept it without any remedy. That would have settled the matter; but the present Bill was a net so contrived as to take in all the rich benefices, and leave the poor ones out. The higher classes of the clergy talked a good deal about their compassion for their poorer brethren, and they proved their sincerity, not by allowing them to hold two small livings, but by leaving them to starve upon one. The most Rev. Prelate seemed to be in some doubt whether it would not be better to lay the Bill aside for a while, and think better of it: and, indeed, if he had any respect for his own child, he ought to do so. If it escaped a severe handling in that House, it would be terribly mauled in another place.

The Archbishop of *Canterbury* said, that he had not made the statements attributed to him by the noble Baron, who appeared to have made his remarks solely for the purpose of adding to the prejudices and excitement that prevailed on the subject of the Church.

The *Lord Chancellor* agreed with his noble and learned friend (Lord Wynford), that great regard was due from the Legislature to the rights of property. He would not then go into the abstract question of the right of the Legislature to interfere with the property of the Church, as there was nothing in the Bill before the House that called on him to do so. He did not think that the Bill was liable to the objections that it interfered unnecessarily with private property in connection with Church property. The peculiar circumstances which distinguished Church property from every other kind of property was this, that the Legislature could interfere with it so far as to enforce the performance of the duties, for the performance of which that property was enjoyed.

The Bishop of *Chester* wished to ask the noble Baron (Lord King), to point out the fifteen livings which he said were held by the Bishops *in commendam*.

The Bishop of *Bangor* begged to explain the point, to show the inaccuracy of the noble Baron's remarks. There were certain livings connected with particular Sees, which were permanently attached to them, and formed a part of their revenues. They were always served by curates, and the Bishop had no cure of souls in those parishes, nor any other power but to appoint the curates, or remove them without the intervention of the Ecclesiastical Courts. These were the livings, he presumed, which the noble Baron said, were held *in commendam*.

The Earl of *Radnor* said, he should give his support to this Bill, and he wished to state in a few words his reason for doing so. He did not admire the Bill on account of its taking away small pluralities where alone the system of pluralities ought to be tolerated, nor on account of its allowing the Bishops the discretion of granting pluralities without restriction as to value when the different livings were within thirty miles of each other. In both these respects he should like to see the Bill amended; and if any noble Lord would in Committee, propose the alteration of the clause giving this discretionary power to the Bishops, the alteration should have his support. He approved, however, of the Bill, as he considered it a step towards a Reform in the abuses of the Church Establishment, and he only regretted that the most Rev. Prelate had not carried that Reform further.

Their Lordships divided on the Motion to go into Committee. Contents 31; Not Contents 7—Majority 24.

House in Committee: Verbal Amendments were agreed to; after which the House resumed. Committee to sit again.

HOUSE OF COMMONS,

Friday, March 23, 1832.

MINUTES.] Bills brought in. By Mr. SPRING RICE, to Consolidate and Amend the Laws relating to Highways in England; and to authorize the Commissioners for Auditing Public Accounts, to Examine and Audit the Colonial Expenditure and Revenues.

Returns ordered. On the Motion of Colonel EVANS, of the quantity of Hemp purchased by Government for the use of the Navy, in each year, from 1821 to 1831, respectively, with the Amount of Duty Paid and Chargeable, and the Amount of Drawback paid on the Exportation of Cordage during the said term:—On the Motion of Mr. FOWELL BUXTON, Copies of all Communications received from Jamaica relating to the Trials of George Ancle, and Samuel Surney, Negro Slaves, for alleged Offences relating to Religious Worship; of all Communications of the Adoption or Rejection of a Law in the House of Assembly in Jamaica, for Abolishing the practice of punishing Females by the Whip in that Island:—On the Motion of Mr. WALLACE, of the Number of Persons Licensed in the City and County of Dublin to sell Tea and Coffee, who also hold Licences to sell Spirituous Liquors; of all Reports made in the years 1825 and 1826, by the Solicitor and by the Commissioners of Excise in Ireland to the Lords of the Treasury relating to such Licences:—On the Motion of Mr. STUART WORTLEY, Copy of the Ukase of the 23rd of November, 1831, increasing the Import Duty upon Articles imported into the Russian Dominions, and a Comparative Statement of the New and Old Duties:—On the Motion of Mr. BALFOUR, of the Sums charged by the Excise under 4 and 6 George 4th, for Spirits produced being short of the Charge by Gravity of Worts by Attenuation or Charge from the Low Wines in England and Scotland, and of any, and what part of those Charges remain unpaid by the Distillers.

Petitions presented. By General O'NEILL, from the Presbyterian Congregation of Broughshane, Ballymena, and Conner, against the proposed Plan of Education for Ireland:—By Sir WILLIAM HORT, from the Inhabitants of the United Parishes of Kilcullen and Gormanstown, and of the United Parishes of Kilcumin and Robin, for the Total Abolition of Tithes in Ireland:—By O'CONNOR DON, from the Merchants and Inhabitants of Athlone, against the Clause in the Irish Reform Bill, which allows Persons to Vote for a Town if they reside within seven miles of it:—By Mr. HUME, from the Council of the National Political Union, for the Appointment of a Committee to Inquire into the Nature of Cholera; from the Students in Medicine, Glasgow; the Members of the Council of the Sheffield Political Union; the Committee of the London College of Medicine; and of the Inhabitants of Leeds, in favour of the Anatomy Bill; from Persons employed in Factories at Heaton, Norris, and other Places, and of Proprietors of Mills and Master Spinners in Renfrewshire, against the Factories Regulation Bill; from the Members of a Benefit Society at Newport Hants, for the Repeal of 10 Geo. 4th; from the Prisoners in Whitecross Street Prison, against the Law of Arrest for Debt, and Complaining of Regulations relating to the said Prison; and from 900 Members of the National Political Union, for the Repeal of all Taxes on Newspapers and Paper.

POST OFFICE (IRELAND).] Mr. Cooper presented the Petition of John R. Johnstone, of the firm of Johnstone and Co. newspaper agents, of Dublin, complaining of the unfair advantage possessed by the Clerks of the Roads in Ireland, in serving newspapers; and praying, that this official monopoly, striking at the root of private industry and enterprise should be put an end to.

Mr. *Henry Grattan* said, he must support the prayer of the petition, as he considered the privileges of the Clerks of the Roads a great hardship upon the private traders.

Lord *Althorp* said, that without giving any opinion as to the contents of the petition, he felt quite sure, that the noble Lord at the head of the Post Office Department would pay every attention to it.

Mr. *Hume* said, that all public servants in England, as well as in Ireland, ought to be prevented from dealing in newspapers. If the Government did not feel the propriety of putting a stop to this traffic, it would be his duty, or the duty of some other hon. Member, to take the sense of the House on the subject.

The Petition to be printed.

BANK OF ENGLAND.] Mr. *Gisborne:* It appears by the papers, that, on a question being yesterday put at the Bank of England meeting, the Governor stated, that the only information he could give with respect to the renewal of the Charter was, that the Ministers had given him to understand, that it was their intention, this Session, if possible, to move for a Select Committee to inquire into the Bank of England, and that the renewal of its Charter must necessarily form part of that inquiry. If this paragraph is correct, I presume that the noble Lord can have no objection to confirm it; for I should be glad to know whether it is certain that the Committee will be appointed this Session, and whether it will form part of their duty to inquire into the renewal of the Bank Charter?

Lord *Althorp:* The statement contained in that paragraph is, for the most part, correct: it, however, conveys no information to the House; for I have already stated my intention of moving for a Committee during the present Session, and, therefore, the only point not quite correct in that statement is, the supposing it doubtful whether that motion will be brought forward this Session, because it is my positive intention to do so.

SUGAR DUTIES.] On the Motion of Lord Althorp, the Order of the Day for the House going into Committee on the Sugar Duties was read.

Lord *Althorp:* Before moving, Sir, that you leave the Chair, I think that it may be convenient to the House, if I preface my Motion with one or two observations. It is not my intention to detain the House long; but, having been pressed on the subject by Gentlemen connected with the West-India interests, it seems desirable for me to make a short statement on the subject. I have been told by those Gentlemen, that it is necessary that I should state specifically what is the nature of those measures of relief to which I alluded on the last evening that this question was debated. On that occasion I stated, that I did not think that it would be advisable for me to make that statement at the present period, or before I was able to propose the measure to the House for adoption. In consequence, however, of the suggestions that have been thrown out, I have since given my best consideration to the subject; and I am now bound to state, that the more I have considered it, the more clear does it appear to me, that it would not be consistent with my duty to state now what is the specific object of the mode of relief I mean to propose. I am, however, prepared to repeat what I before stated, that it will be a relief proffered to such of the West-India colonies as shall have shown themselves disposed to accede to the wishes of the Government; and, indeed, it must be evident to all, that, by moving for the renewal of the sugar duties for the short period only of six months, I am quite willing still to leave the door open to discussion. But, besides these measures, the House is, of course, perfectly aware, that, in different parts of the West-India colonies, severe recent calamities have taken place, which have given rise to great destruction of property; I allude, of course, to the hurricane in Barbadoes, and the insurrection in Jamaica, which calamities have necessarily greatly aggravated the local suffering in those colonies where they have occurred. Looking at this distress, we have felt that it would be perfectly consistent with that sympathy which the mother country ought to feel towards the colonies for us to call on this House to grant temporary relief to them, without encumbering that relief with any of those conditions which I have alluded to in speaking of the other more permanent plan of relief. I am aware of the difficulty attending this sort of proposition, but I trust that the extreme exigency of the case may well form an apology for our intention; and I have therefore to state to the House, that it is the purpose of the Government to afford assistance to the sufferers under these two calamities by way of loan. The House has already agreed to give aid to the poorer classes who suffered by the hurricane in Barbadoes; but there still remains a large number of those who suffered not belonging to that class, and who, from their superior station, can give security for any assistance afforded them; and, therefore, by taking care, that that security was given, and that the Government should have a prior claim over all other charges on the property, I trust that the Ministers may safely propose that this measure shall be carried into effect. I hope that, in adopting this course, we shall be able to prove to the colonists that we have a feeling of sympathy for their misfortunes, and that the effect will be such as to induce them to indulge a kindly feeling towards the mother country, and give them an inclination towards yielding that which we have so much at heart. Having said thus much, I will not detain the House further, but move, Sir, that you now leave the Chair.

Mr. *Burge* thought that the noble Lord should state at once what was the nature of the relief which he intended to propose; because he could hardly expect that the colonists were to surrender all their rights, without even so much as knowing what they were to have in exchange. But Ministers seemed inclined to promulgate the doctrine that, notwithstanding all the difficulties under which the colonies laboured, all relief was to be withheld, unless they pledged themselves to comply with unknown conditions—a practice which every man of British feeling, and with British habits, would denounce as unjust. There was no principle in the Constitution which implied that those who were entitled to legislate for themselves should submit to act upon peremptory instructions directing them what they were to do. It must have been well known to the Government, that the colonists could never consent to accept relief on any such condition as that proposed. That was sufficiently manifest from the feeling that had been excited throughout the colonies when the sweeping plan of the Government was communicated to them, accompanied with the not very judicious commentary of the noble Lord who was particularly connected with that department of the State. That plan had excited throughout all the islands a degree of discontent which had never before been known there—so much as even to attract the notice of all those Powers who had possessions in the same quarter of the globe; and indeed, he might say, that so strong was the feeling which the colonists entertained with regard to that plan, that; however ardent their attachment for the mother country, they were convinced that the period was at length arrived when there existed in this country a Government that had forgotten that the colonies were the children of the state, from which they had a right to look for the most complete protection. He could not give a greater proof of the tremendous nature of the experiments which the Government was aware they were about to try in the West Indies than by adducing one fact, namely, that almost immediately after the receipt in the colonies of the despatches, accompanied by the debates in that House, particularly the speech of the noble Lord, the Under-secretary for the Colonies, intimating the intentions of Government, there was also received, a proclamation for removing the delusions into which the colonists were likely to fall, when they found it was the intention of Government to carry all their opinions into execution—opinions which would effect all the mischief which the colonists had ever dreaded. That the Government should have sent such a proclamation was a complete proof that it anticipated, as the consequence of its own actions, discontent among the colonists. Another proof of the existence of this feeling on the part of the Government might be found in the circumstance, that, in the more distant Crown colonies, it was feared a similar impression might have been produced, and, accordingly, the Order in Council had never been forwarded to the Mauritius; and he believed, that, even at the present moment, it had not yet been sent. He would unscrupulously declare it to be his opinion, that if there was any circumstance which more strongly than another would mark the incompetency and the unfitness of the colonial part of the Administration to occupy their offices in Downing-street, it was to be found in the circular despatch sent by Lord Goderich to the respective Governors of the West-Indian colonies. There were passages in that letter, which, if the document did not bear the name of Lord Goderich, he never could have believed had been written by him. There had been a time when that noble Lord had received the thanks of the colonies for his prudence and caution; but, in that despatch, there were expressions so little consonant with the noble Lord's usual urbanity and high-minded feelings, that he felt himself utterly at a loss to account for the spirit in which it had been drawn up. It seemed to be an attempt studiously to depreciate the colonies, by representing the society there as possessing neither education nor information. It might have been naturally supposed, that every set of men, however adverse to the colonial interests when in opposition, would, on coming into office, have so far felt the responsibility of their situation as to have been extremely careful how they committed themselves hastily upon so vital a question. He begged to remind the House that, when the present Government came into office, they found the colonies, it was true, in a state of great financial distress; but they also found, with respect to Jamaica, at least, that the two subjects which had so long been matter of controversy between the legislature in that island, and the preceding Government at home, were at length happily adjusted—he meant the payment of the troops, and the depositing of the large sum annually voted by the Jamaica legislature in the hands of the commanding-officer; and also the passing a clause in the consolidated slave law, admitting the evidence of a slave against the white. He should have thought that the long dispute and settlement of these two questions would have suggested to the Government, that a little more time was necessary for looking at these great interests, before they ventured to propose any plan for the internal regulation of the colonies. Instead of that, however, on almost the very first occasion on which the Government avowed its policy—on the Motion of the hon. member for Weymouth—that took place which had excited so much feeling in the West Indies, and which, he was afraid, would lead to the most disastrous consequences. He should purposely abstain from adverting in any way to the slavery question, because he did not think that was a proper time for its discussion; and he should also abstain from expressing any opinion on the recent insurrection in Jamaica, lest it should be thought that he was casting imputations on any particular parties; but it was impossible for him to refrain from expressing his conviction, that those dreadful results to which he had adverted, were occasioned by the delusion arising out of the unfortunate propositions of the present Government. From the year 1760 to 1817, no insurrection took place in Jamaica. There was, indeed, the Maroon war in 1797, but so far from the negroes taking any part with the insurgents, they all along showed their willingness to support the white population. The insurrection in 1817 followed close on the discussion in that House—a discussion conducted without either prudence or temper. The next convulsion that shook Jamaica was in the latter end of 1823, which also happened shortly after another discussion in that House; and now there was another insurrection, arising out of discussions which obtained fresh force and power of mischief on the accession of the present Government to office. On the effects of that insurrection he would not enlarge; but he must say, that the ill-matured plans of the Ministry had led to misconception on the part of the negroes. It was impossible to exonerate his Majesty's Ministers; for never before had any Government declared to the colonies—"Your own legislatures must cease their influence, and yield to the Legislature of Downing-street; for we will not allow you the privilege of even a verbal alteration." Was this wise, or was it prudent? Could the noble Viscount be so confident in himself, or in the Government to which he belonged, to say that he was sufficiently acquainted with the colonial interests as to impose on the colonies such onerous conditions? No Government before this ever thought of imposing such a penalty for not obeying the legislation of Downing-street; for two-thirds of the people who would suffer had no choice. What could be said of a Government which excluded two-thirds of the people from relief, because those over them would not adopt the regulations of his Majesty's Government? It was new in government and in finance, to punish men for what they could not control or avoid. If the legislation was most perfect—and that it was he denied—yet the mode of enforcing it would destroy all the merit of the scheme itself. Whatever might be the feelings of the House as to soundness of the principle, he was sure it would join him in opinion against the mode of enforcing the scheme, though they agreed in the scheme itself. It was the first act of the present Government. It had made no communication to the colonial legislature before it ordered this scheme to be executed. It was, however, said, that the preceding Government made various applications to the colonies, and failed; and this was the excuse made for the extraordinary course pursued by the present Government. He wished that the Ministers had been actuated by the principles of that great statesman, who had been, with regard to that subject, so repeatedly referred to. There was nothing in Mr. Canning's speeches inconsistent with his own proposition, namely, that every thing to be done with respect to the colonies, was to be done through their own legislative bodies. He also most heartily wished that the Ministers had adopted the principles of the Duke of Wellington; for he distinctly refused to sanction that species of menace which was to be found in the language of the present Government. In his opinion, the statement of the noble Chancellor of the Exchequer should not have been made, unless he was prepared distinctly to state his plan, in order that it might be known, whether it would receive the consent of the parties interested. The time selected made it still more objectionable. Was the unfortunate colony of Jamaica in any condition to meet this new pressure? And what an impulse would be added to the lawless spirit that existed there, when it was known, that although the Government had received intelligence of the rebellion, and had sent out an additional force, yet it persevered in the measures which had led to the mischief. Ministers though they had given assistance to the island, still persevered in that plan which only to announce six months before had excited the greatest degree of alarm. Adhering to this plan under such circumstances, was sufficient to place that society in a situation which would destroy all confidence. The knowledge of the proceeding of that House would, by to-morrow's mail, be conveyed to that island. It would be then known that his Majesty's Government would give no relief but on these conditions. There, however, forty or fifty miles of land was already a perfect waste. The negro population were thrown adrift on the rest of society. How was that event to be met? It would be unsafe for men to live there, much less to advance their property; and without that, how was prosperity to be restored? The loan advanced by the Government would be of no use, unless a line of conduct were adopted which would restore confidence. To satisfy the claims of sympathy and the claims of justice, it was necessary for the Government to avoid that policy which would lead to the destruction of these colonies. Similar discontent had existed in other islands, and it was not yet known what would be the effect of the knowledge of the insurrection in Jamaica, on the negroes of those islands. It was known, indeed, that the negroes had in some places refused to obey their masters. Expenditure, to improve any of the colonies, could not be incurred while property in all the islands was exposed to jeopardy. The hon. and learned Gentleman again referred to Jamaica, and said, that it was in such a state that the taxes could not be raised for the support of the public establishment. Instead of irritating these colonies, a prudent Government would endeavour to win their affections by a course of wise concession and conciliation. These colonies wished to continue united with Great Britain—their natural affections as well as their interests led them to desire British connexion. But were Government aware of the language in which the rulers of other countries were addressing these colonies? Had they seen, for instance, the language in which the government of the United States spoke to them through the *North American Review?* To conciliate them was, therefore, no less a matter of duty than of policy. They had contributed largely to the aid of England in her hour of danger, and their importance was seen in the eagerness of Government to raise these sugar duties upon their produce. If the Government continued to press upon them by harsh fiscal regulations, it might produce their ruin; but when their ruin was effected, the merchants and manufacturers of England would find themselves deprived of one of their principal markets, and one of their main sources of wealth. The colonies might pass away from us, and our manufacturing prosperity would pass away also, and then our empire would be limited to narrow bounds of local interests. The policy of his Majesty's Government was calculated to nourish petty interests but was unworthy of the mighty interests of a great empire like this. Under all the circumstances of the case, he could not consent to the Speaker leaving the Chair. If the noble Lord had abstained from his coercive proceedings for the present, and had granted a Committee to inquire into the whole state of these colonies as he had suggested, and measures founded on those inquiries had been brought forward, that would have restored confidence, and given value to property. He begged that nothing which had fallen from him respecting the general policy of the Government, could be supposed to detract from the deep sense of obligation he felt towards the noble Lord, for the vote of assistance he had proposed for Jamaica. He begged, also, that his anxiety for the welfare of the colonies might not cause it to be supposed that he did not desire to see the gradual extinction of slavery. All he wished was, that that object should be accomplished without injury either to the planter or the slave. In conclusion, he had only to express a hope that Government would evince such a disposition on the present question, as would preclude the necessity of his opposing the Motion.

Lord *Howick* had heard with great pain the inflammatory speech of the hon. and learned Member who had just sat down, for the speedy and satisfactory settlement of this question was of great importance, and if it were longer delayed it might lead to great disasters. It could only, however, be brought to a satisfactory conclusion by mutual concessions, and he regretted that a gentleman who stood so high in the confidence of the legislature of Jamaica, should have so misconceived the policy which the Government had for some years pursued. Aggravated as the charges were which the hon. Member had brought, not only against the policy of Government, but also against those who had acted upon it, he had no doubt that the House would mark their conduct with approbation when hon. Members fairly considered what was the nature of their policy and the grounds on which it was justified. He begged hon. Gentlemen to consider what was the position of this question when the present Government first came into office. Every one was aware that, by the Resolutions of 1823, the House was pledged to promote the immediate mitigation, and to aim at the ultimate extinction of slavery. Every one was also aware that successive Governments, acting upon the policy of Mr. Canning, had introduced into the colonies of the Crown, regulations which had produced a marked effect in improving the condition of the slaves, and in promoting the hopes of the extinction of slavery. He would not on that occasion discuss the nature of those regulations, neither would he stop to inquire whether they had gone as far as the advocates for the abolition of slavery expected. He would only say that, so far as they went, they were in his, opinion, calculated to benefit the slave without being at all injurious to the master. In the colonies which did not belong to the Crown, but which enjoyed legislative assemblies of their own, the examples which had been set in the Crown colonies had not been followed. He would not contrast the laws made by the different colonial assemblies, with the order of council which was carried into execution in Trinidad in 1824, and which was recommended as a model of imitation for the other colonies. He would only say, that in none of them had that order been fully carried into effect; on the contrary, in most of them it had been perfectly and completely evaded. Under such circumstances, he would ask the House to say what conduct the Administration ought to have followed? Were they to leave slavery as they found it in Jamaica, and to let the planters triumph over the British Legislature? Since the Resolutions of that House were agreed to in 1823, a correspondence had been carried on by three successive Secretaries of State, for the colonies, who had earnestly endeavoured to impress upon their attention the propriety of adopting the views of Parliament. The language of admonition and remonstrance had been exhausted in vain, and nothing further could be done to give additional weight to remonstrances which had been already slighted. Was the Government then to allow the Assembly of Jamaica, and of the other legislative colonies, to persist in neglecting these recommendations? If their own sense of what was due to justice and humanity would have allowed Ministers to follow such a course, the universal feeling of the people of England would have rendered it impossible. They could not remain where they then were. Compliance with the wishes of Parliament was, therefore, urged upon the colonial legislatures. Some years ago it was stated by Mr. Canning that the first course which the Government ought to pursue to bring the colonial legislatures to reason, was to try the language of exhortation and remonstrance. But that language was now exhausted, it was impossible to add anything either to the weight or urgency of the expostulations which had been repeatedly made by preceding Governments. In the eight years which had elapsed since the Resolutions of 1823, a correspondence which was anything but satisfactory, had been carried on between the British Government and the legislature of Jamaica. In that correspondence successive Secretaries of State had endeavoured to impress upon the legislature of Jamaica the necessity of adopting the views of Parliament. Gentlemen must see that there must come a time when it was fitting that the language of exhortation should cease. That time had now arrived;

and in consequence of the speech of the hon. Member, it became necessary for him, though unprepared for the task that evening, to enter into a consideration of the conduct of the Government. On the 28th of May, 1823, shortly after the Resolutions, already referred to, had been adopted by the House, a circular was sent out by Lord Bathurst containing a copy of the Resolutions which Parliament had sanctioned. A second circular was sent out by the same nobleman on the 9th of July in the same year, in which the strongest exhortations to adopt those Resolutions were addressed to the legislature of Jamaica. The conclusion of that despatch was couched in the following terms: "In conclusion, I have most earnestly to impress upon you the necessity of proceeding to carry these improvements into effect, not only with all possible despatch, but in the spirit of perfect and cordial co-operation with the efforts of his Majesty's Government. More particularly you will be attentive to have the necessary laws framed with such precaution and foresight as, if possible, to provide an effectual security for the faithful observance of them. To this end you will consult with the legal advisers of the Crown on the frame of the necessary Bills, and you will, from time to time, communicate with me upon the progress you make in this work, or upon the difficulties which may obstruct its completion, and if (what I am unwilling to imagine) you should meet with serious opposition, you will lose no time in transmitting to me the necessary communication, in order that I may take the earliest opportunity of laying the matter before Parliament, and submitting for their consideration such measures as it may be fit to adopt in consequence." In reply to this document a Resolution was passed by the House of Assembly, stating that they had observed with surprise and regret that Parliament had sanctioned the principles of their enemies in the mother country; and declaring their determination not to entertain the notion of the ultimate extinction of slavery in their colony.

Mr. *Burge* wished the noble Lord to read the Report, because several measures favourable to the slaves were passed that Session.

Lord *Howick* had not the whole Report with him. What he had read showed that there was a spirit in the Assembly of Jamaica which would render remonstrance after nine years' of remonstrance, worse than childish. On the 30th of July, 1825, another despatch was written by Lord Bathurst, in which he complained that the only measure proposed in the House of Assembly for the admission of slave evidence had been rejected, only one person voting for it. On the 18th of March, 1826, Lord Bathurst sent a draught of two bills, which the House of Assembly refused even to consider; stating that such bills were a breach of their privileges. On the 22nd of September, 1827, another despatch was written by Mr. Huskisson, representing to the House of Assembly how unsatisfactory was the progress which they had made, and the spirit which they had manifested. In that despatch Mr. Huskisson disallowed the act passed by the Colonial Assembly in 1826, because it contained several clauses contrary to the principle of toleration asserted by Parliament. A long and voluminous despatch, in answer to that of Mr. Huskisson, was drawn up by a Committee of the House of Assembly; and upon that despatch Mr. Huskisson wrote a letter in March 18, 1828, in which he informed the House of Assembly, that a continued Resolution on their part not to act as Parliament had wished, would compel Parliament to act for them. Sir George Murray wrote two despatches to the House of Assembly, one dated the 3rd, and the other the 15th of September, 1828. He begged leave to call the attention of the House to the language of the last of these documents. Sir George Murray informed the House of Assembly that some amelioration of the laws regarding slaves was to them a matter of necessary policy, which was every day becoming more and more urgent. Such an amelioration, he said, would give the best security they could have for the continuance of their property. Unless they made such amelioration, he assured them that it would be impossible to stem the impatience of the people of England, for some legislative interference of the imperial Parliament on the subject. In another despatch, dated the 8th of April, 1830, Sir George Murray adopted all the sentiments which had been previously expressed by Mr. Huskisson. Such was the history of the negotiation with the colonial legislature of Jamaica; and after such a proof of its not leading to a satisfactory result, would it have been to the honour either of Parliament or of the Crown, again to offer the House of Assembly the advice which had been so often contemptuously rejected before? There was a still stronger reason for not continuing these remonstrances, and that was, a regard to the welfare of the West-India interest. The correspondence to which he had just alluded was always laid regularly before Parliament and the country; and the remonstrances which had failed to produce the desired effect upon the House of assembly of Jamaica, had necessarily increased the general impatience of the public in this country, for the accomplishment of an object to which they attached so much importance. To have gone on, therefore, addressing exhortations and admonitions to the assembly, when there was no longer a hope that such language would be attended to, would have been merely to increase the excitement and irritability which existed at home. He was willing to make every allowance for the conduct of the Assembly of Jamaica, suffering as the people were under the severe pressure of distress, and irritated by constant attacks. However much he might regret the matter, it became absolutely necessary (if for no other reason, with a view to the interest of the planters themselves) to take measures for putting an end to the controversy which was going on between the executive government and the local Legislature. Nor, was this his opinion only, for he had heard his hon. friend, the member for Thetford, more than once declare, that it was the duty of the Government to take the matter into its own hands, to come forward with some specific plan, and propose some means for carrying it into execution. He thought his hon. friend had taken a correct view of the case, and it was greatly to be lamented that this course was not earlier adopted. It was only one among many instances of that miserable and temporizing policy, to which the present difficulties were to be attributed, which, never looking at dangers while at a distance—never seeking to deal with great questions while they could be easily and satisfactorily arranged, merely attempted to get through from day to day the ordinary routine of business, with no other object than that of not increasing the pressure to which the Government was exposed, without considering the ultimate consequence of such ill-advised and impolitic delay. This temporizing policy, which had been too long persevered in, could no longer be maintained, and the present Government was compelled to choose between abandoning the object to which Parliament and the country stood pledged, submitting to the resistance of the assemblies, or taking measures by which that resistance might be overcome. It was necessary that some step should be taken; and, agreeing with Mr. Canning, that coercion ought to be had recourse to only in the last extremity, the Government was anxious to avoid making an appeal to the direct legislative authority of the Imperial Parliament, hoping that the obedience of the colonial legislatures would be secured by measures which would at once have the effect of manifesting the determination of this country not to recede from her just demands, and afford them an inducement to yield, holding out as the reward of compliance, the prospect of relief from that distress which the Government acknowledged and deplored. Acting upon these views, when the hon. member for Weymouth last year brought forward his Motion, and it became necessary to explain to the House and to the country, what was the policy intended to be pursued on this subject, his noble friend moved, as an amendment, resolutions, the effect of which would have been, to pledge the House to afford advantages, in the shape of a remission of duties to those colonies which should consent to adopt the recommendations of Government; at the same time that an intimation was given, that an order in Council would be drawn up, completing that which had been passed the year before, and which Sir George Murray had at the time expressly stated he had left imperfect, for want of further information; the adoption of the contemplated order in Council would, it was announced, be the condition of giving the indulgence proposed. This course had been the subject of loud and vehement attack. It was said, that the imposition of discriminating duties was only a mode of evading the privileges of the colonial legislatures. The hon. and learned Gentleman who had addressed the House, asked whether any Government had ever before thought of adopting such a course, and stated that, in not one of Mr. Canning's speeches, was it intimated that it was desirable to do anything, except through the colonial legislatures themselves. No doubt, Mr. Canning thought it desirable, as every man must that the wished-for reformation should be the work of the colonial legislatures themselves; but, in case of necessity, he contemplated taking a different course. They had heard much of the effect produced in the colonies by the debates upon this subject, and he should have thought that the speech of Mr. Canning, in moving the resolutions of 1823, would have been eagerly read in Jamaica, but no accurate report of what passed on that occasion could have reached the colony, or the inhabitants could not have forgotten what Mr. Canning said, in the splendid and masterly speech with which he introduced his amendment to the Motion of the hon. member for Weymouth:—' We have a right,' said the right hon. Gentleman, ' to expect from the colonial legislatures, a full and fair co-operation. And, being as much averse by habit, as I am at this moment precluded by duty, from mooting imaginary points, and looking to the solution of extreme, though not impossible questions I must add, that any resistance which might be manifested to the express and declared wishes of Parliament—any resistance, I mean, which should partake, not of reason, but of contumacy, would create a case (a case, however, which, I sincerely trust, will never occur) upon which his Majesty's Government would not hesitate to come down to Parliament for counsel.'* He thought it was sufficiently clear from this that Mr. Canning contemplated other measures, in case of resistance on the part of the colonial legislatures. But, on the 16th of March, 1824, his language was still stronger: he said—' There are three possible modes in which Parliament might deal with the people of Jamaica—first, as I have said, it might crush them by the application of direct force—secondly, it might harass them by fiscal regulations and enactments, restraining their navigation; and, thirdly, it may pursue the slow and silent course of temperate, but authoritative admonition. Now, Mr. Speaker, If I am asked which course I would advise, I am for first trying that which I have last mentioned; I trust we shall never be driven to the second; and with respect to the first, I will only now say, that no feeling of wounded pride—no motive of questionable expediency—nothing short of real and demonstrable necessity, shall induce me to moot the awful question of the transcendental power of Parliament over every dependency of the British Crown.'† Such was the language of Mr. Canning in 1824; in 1826, he proposed that the resolution which had been agreed to three years previously by the House of Commons should be sent up to the Lords for their concurrence. He would, with the permission of the House, read a part of the speech he made on that occasion. The right hon. Gentleman said, ' He would not, however, deny, but that, from the spirit which the colonies had already displayed on this subject, it was more than probable that the time might arrive when it would be necessary for that House to interfere more directly, but as he saw that such an interference would be pregnant with evil, both to the country and to the colonies, he was loth to have recourse to it as long as there was any possibility that it might be avoided.'† He was desirous,' the right hon. Gentleman afterwards said, ' of giving to the colonial legislatures another chance of bringing about, by their own agency, all that the British Parliament wished, without the disturbance of the established system, or the agitation of the question, from which, though he should not hesitate to enter into it when the occasion demanded considerable difficulties which he wished to avoid, if possible, would of necessity ensue, when it was once mooted. He would give them space and respite for a further trial. He agreed with the hon. member for Weymouth, that, after the time of that space and respite had expired, the period might come, when it would be the duty of the Parliament, to take the matter out of the hands of the colonial legislatures, and when it would be the duty of the Government to come forward and ask Parliament for additional powers, which would be requisite to entrust to it for the accomplishment of objects which the colonial assemblies had refused to effect by their own exertions.'‡ Here, then, was a clear exposition of Mr. Canning's views, and the views of the Government of which he was the organ. He proposed to first try exhortation, then fiscal regulation, and, lastly, direct legislation; and, so long ago as the year 1826, he considered that the first had almost failed; his forbearance was then nearly exhausted, and he was desirous of giving to the colonies only "space and respite for one further trial." To warn the local legislatures how nearly the season of indulgence had expired—to convey to them the clearest intimation of the determination of Parliament, he then made a motion to send the resolutions of 1823 up to the House of Lords for their concurrence. Was it possible to deny, then, that the conduct of the present Government had been the most lenient, which, consistently with its duties, it could adopt? Exhortation having failed, the principle of the course recommended by his noble friend in the resolutions he moved last year was distinctly pointed out by Mr. Canning, in his advice to harass the colonies by fiscal regulations and enactments, restraining their navigation. The hon. and learned Gentleman seemed to imagine, that he was not correct in saying that there was an exact agreement between the course proposed by his noble friend, and that recommended by Mr. Canning. The hon. and learned Gentleman was right; there was a distinction between them, and it was this—Mr. Canning held out a threat to the disobedient; his noble friend, a promise of reward to the obedient. His noble friend did not threaten to stop up the ports of the contumacious colonies, to harass their trade, and compel them, by dire necessity, to give way; but he said, "We will not, in the first instance, at least, adopt any measure to punish and coerce those colonies which resist, but we will promise to those which yield to our just and reasonable demand such assistance and relief as it is in our power to bestow." The distinction in point of leniency, then, was not in favour of Mr. Canning's Administration, but in favour of the Government of 1831. The Resolutions moved by his noble friend last year were not formally assented to; but there could not be the slightest doubt that, upon a division, they would have been carried; and the only reason why they were not was, that the hon. member for Preston moved an adjournment of the House, and a few days afterwards Parliament was dissolved. They were not again brought forward, for this simple reason—that there could not be a rational doubt on the mind of any man of what were the sentiments of Parliament and of the country; and it was thought most desirable, from the danger of such discussions in the House, to avoid unnecessarily agitating the question. It was the anxiety of the Ministers to bring on such a debate, which induced them not to ask for the mere formal expression of an opinion, which could not be doubted, and to postpone coming to Parliament until acting upon that opinion, its concurrence in the measures to be adopted was actually to be required. It was not, however, in disguise or concealment that they took their course; for, after the debate in April last, not a day was lost in collecting the materials for the Order in Council, which had been so much criticized. The right hon. and gallant Gentleman, the late Secretary of State for the Colonial Department, in the despatch which accompanied the former Order in Council, had stated to the Governors of the different colonies, that certain points were omitted in it, on which he was not then prepared to legislate, but to which it was intended to revert at a future opportunity. Now, all must agree that, if we were to make a specific offer to the Assemblies at all, it was most desirable that the whole plan, with which it was connected should be laid before them altogether. For this reason, a new Order in Council was drawn up to supply the omissions of the former. The draught was printed, and transmitted to the hon. and learned Gentleman the member for Eye, to the agents of the different colonies, and to all who were thought particularly interested in the subject; they were, at the same time, invited to make any objections or remarks, which they thought could be of service, and contribute to render the Order in Council as complete and perfect as possible. They accepted the invitation; remarks were sent in, which were carefully considered; and considerable alterations were, in consequence, made in the original draft. The Order in Council, so framed, was transmitted to the Crown colonies in the first instance, and afterwards to the Legislative colonies, in a circular despatch, in which, Lord Goderich explained the intentions of the Government, and stated his anxiety that the Colonial Legislatures should understand that the only object of the Government was to promote the true interest of all parties, and the noble Lord endeavoured to convince them that this course was not adopted in a spirit of hostility towards the colonies; but, on the contrary, in a sincere belief that it was absolutely necessary for their own safety, that some decided step should at length be taken. The hon. and learned Gentleman had stated it as the *gravamen* of the charge against the Government, that the Order in Council was required to be adopted without alteration or amendment. The hon. and learned Gentleman, in making that charge, had not stated what other course it was possible to pursue. When certain advantages were to be granted, or withheld, according to the compliance of a party, with particular conditions, was it not indispensably necessary that those conditions should be precise and definite? They all knew, from daily experience in this country, that, by some unexpected construction of the expressions made use of, and by verbal inaccuracies, the intended objects of Acts of Parliament were not unfrequently, in a great measure, defeated. Could the Government, then, leave the framing of Acts, upon the wording of which, their whole efficiency must depend, to the Colonial Legislature, which were not anxious to accomplish the objects intended to be promoted, and which only yielded a reluctant assent in the hope of participating in the advantages which were conditional upon doing so. If the task of framing the Acts had been committed to the Colonial Legislatures, how would it have been possible for the Government to say, that any one colony was or was not entitled to the advantages held out to those which consented to the adoption of the measures recommended to them? Was it so easy to pronounce, positively, how far any given law carried into effect its professed object? The agents of the West-Indian colonies circulated last year an abstract of the laws passed by the different local legislatures intended to show that those assemblies had, in many particulars, adopted the suggestions made to them; whilst, on the other hand, their opponents entered into a long argument to show that the supposed compliances with those suggestions had been perfectly nugatory. He did not say which was right or which was wrong, but he stated the fact to show how great a difference of opinion might exist as to the effect of a law; and to prove the utter impossibility of the Government undertaking to decide between the opposite constructions put by different parties upon the Acts passed by so many separate Legislatures. He should not have troubled the House with any further vindication of the course taken by the Government subsequent to the debate of April last, or with any further reference to that debate, had not the hon. and learned Gentleman brought a charge against the Government, which it was absolutely necessary to answer. He said, that, what passed on that occasion was the direct and exciting cause of those calamities in Jamaica, which they had now to deplore, and, in proof of that assertion, he stated, that, soon after the despatches intimating the intention of the Government accompanied by the debates in that House, arrived in the West Indies, Government issued a proclamation, in order to undeceive the negroes as to what was intended to be done. The hon. and learned Member had particularly referred to the speech he had formerly made, as calculated to excite delusion in the minds of the slaves, and of apprehensions on the part of the planters; he, therefore, felt himself called upon totally to deny entertaining the slightest feeling of bitterness or animosity against the West Indies. It was most unjust to say, that in consequence of that speech, it became necessary to issue the proclamation in question. That proclamation was sent out at the instance of the hon. and learned Gentleman opposite, of the agent for St. Vincent, and others interested in the West-Indian Colonies, not in consequence of what passed in that House in April last, but in consequence of what passed in the same month in the island of Antigua. It was impossible that the debate on the intentions of the Government could have been surmised in the West Indies in April; but some slight disturbances having occurred in Antigua in that month, and reports having reached this country that an erroneous impression had been created in the minds of the slaves, the proclamation alluded to was drawn up and sent out by Lord Goderich, with a circular despatch, dated the 3rd of June (more than two months after the delivery), in which the different governors were directed to issue the proclamation in case of its being found necessary to do so. Lord Belmore's answer to that despatch was dated the 20th of July, and was among the papers which were now printing, and which he was sorry were not in the hands of hon. Members. Lord Belmore, in this communication, informed Lord Goderich that the appearance of tranquillity among the slave population was such that he had not thought it necessary to publish the proclamation; and his Lordship added the following observations:—

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* Hansard's Parl. Debates, (new series), vol. ix. p. 286.

† Hansard's Parl. Debates (new series), vol. x. p. 1106.

† Ibid. vol. xiv. p. 974.

‡ Ibid. p. 978.

> "Accounts in the public papers will inform your Lordships of various parochial meetings which have already assembled, and the resolutions they have adopted. The transactions certainly manifest considerable excitement and alarm ' but, in my apprehension, are more calculated to disturb the minds of the slaves, than any report they may casually have heard of something being intended for their benefit, which their owners endeavour to withhold from them. My own opinion of the slave population is, that, collectively, they are sound and well-disposed."

This was written full two months after the speech, which it was said, did so much mischief, had arrived in Jamaica. But, although Lord Belmore did not think it necessary to issue the proclamation, he thought it right, in consequence of Lord Goderich's communication, to put the magistrates of the different parishes upon their guard. He was sure that the hon. and learned Gentleman must be aware of the two circulars written by Mr. Bullock, under Lord Belmore's direction, to the custodes of the different parishes. In the first of these circulars he told them, that Lord Goderich "had disclaimed, in the most distinct manner, any intention on the part of his Majesty's Government to adopt any measure which might have the effect of interfering with the spirit of the resolutions of the House of Commons of 1823, relative to the ultimate extinction of slavery in his Majesty's colonies." Further on, a hope was expressed, "that this explicit declaration of his Majesty's Government would remove any alarm or apprehension which some of the parochial resolutions might have excited in the minds of the community at large;" and Mr. Bullock concluded, by requesting the custodes to give the greatest publicity to his communication. The hon. and learned Gentleman would find this letter in the correspondence published in the *Gazette*, and he would see that the concluding sentence was intended to warn the planters of the danger of the course which they were pursuing, and to point out to them that mischief was to be apprehended, not so much from the debate which had taken place in this House, as from the intemperate resolutions come to by the colonists themselves. The second circular to which he had referred, and which was also in the *Gazette*, was dated a few days after the former—on the 30th of July: it was marked confidential, and was addressed, like the former, to the custodes. In this letter, Mr. Bullock desired "the earliest information of any circumstance which might arise to require the adoption of further measures, in order to remove any erroneous impression which the slaves might have received of the designs of his Majesty's Government;" and observed, "that vigilance is more necessary, when discussions had taken place which were liable to misconstruction or misrepresentation." This was six months before the insurrection broke out. On the 4th of August, Lord Belmore wrote word, "that nothing had occurred to manifest the least uneasiness or excitement among the slaves." Afterwards, on the 6th of September, Lord Belmore transmitted home various resolutions of the parochial meetings, terming them "violent and intemperate," and observed that committees had been appointed in some parishes to correspond with other districts, and had nominated delegates. In a private letter, of the 21st of November, Lord Belmore gave a similar account; and he was sure the hon. and learned Gentlemen's attention must have been attracted to the despatch of Lord Belmore, dated the 6th of January, printed in the *Gazette*, in which he observed, 'The delegates 'had sent forth an ambiguous declaration 'deprecating, as they expressed themselves, 'the insidious attempts to undermine and 'render valueless what little remains of 'their property; but the brink of danger 'on which they stood, formed no part of 'their deliberations.' The notions in the minds of the slaves, which might be looked upon as the proximate causes of the insurrection were, first, that the Government had sent out their freedom, which their masters withheld; and next, that, if they attempted to gain it by force, the King's naval force and regular troops would not act against them. The overseer, who was in the power of the slaves, stated, in his deposition, that some of the ringleaders asserted, that the King's ships were landing gunpowder, or black dust as they called it, to help the slaves in their resistance. He would not trouble the House with reading the resolutions of the planters, as it was better that the violent language which had been used should be forgotten, though it was, undoubtedly, calculated to bring about the catastrophe which ensued. Nor did he mean to quote what passed at the parish meetings in Jamaica during the last summer and autumn, to reproach the planters; they were, perhaps, not unnaturally excited by the distress they suffered and the attacks to which they were exposed; he only wished to show the danger occasioned by their giving way to their feelings, and by allowing an impression to be produced on the minds of the slaves that a serious difference existed between their masters and the Government. He thought these remarks had sufficiently proved that it was not the policy pursued by the Government that had caused the insurrection of the slaves in Jamaica; but he had a still stronger and almost satisfactory proof to adduce, that the tendency of that policy, when fully acted upon, was, to avert, not produce disturbance. During the last autumn notions similar to those which had led to such a melancholy catastrophe in Jamaica, obtained admittance into the minds of the slaves in British Guiana; but, instead of leading to a similar result, the Governor was apprised of the fact by the slave protectors—in whom the negroes knew they could confide—and he was consequently enabled to take measures to avert the threatened mischief. Sir Benjamin D'Urban not being kept in the same state of ignorance as he (Lord Howick) regretted to say, it would appear the noble Earl (the Earl of Belmore) at the head of the government of Jamaica unfortunately laboured, went a tour round the colony, met the most intelligent of the slave population, remonstrated with them, and represented to them the evils to arise from their opposition. What was the consequence? The governor (Sir Benjamin d'Urban) in his last despatches stated that he never saw the Christmas holidays pass off so happily. Thus, on the very Wednesday that Jamaica was in a blaze, in Demerara the slave population were happily enjoying their festivities. This, he would maintain, was a proof of the soundness of the policy of his Majesty's Government. The same course had been pursued by Sir Lewis Grant, the governor of Trinidad, with the same good effect; and in St. Lucia, notwithstanding that state of confusion which might naturally be supposed to arise from the death of the governor, and notwithstanding the violent and intemperate resolutions adopted by the planters, nothing approaching to insurrection took place. These were proofs of the beneficial tendency of the policy pursued by the Government, and he, therefore, entertained a hope that the lesson which had been taught by the catastrophe in one colony, and the escape which the other three had had, would not be lost on the proprietors and planters of the island of Jamaica, and the other colonies. He trusted they would think that the Government were doing all in their power for their interests. The discussions on these subjects he felt to be full of danger; and that the colonies stood on a fearful precipice. The hon. and learned Gentleman must know that there was in this country a large and powerful party, sincerely anxious to overthrow the system of slavery in the West Indies, but who, at the same time, were not disposed to adopt at once the extreme opinions of the hon. member for Weymouth. Those opinions could not be acted upon if the interests of the proprietors in the colonies were for one moment to be endangered; nay, the discussion of those opinions, particularly with such warmth as had characterised the debate of this evening, could not be attended with other than the most dangerous consequences. For five-and-twenty years the slave-trade in the British colonies had been abolished. In the course of that time a coloured population had grown up, acquainted with our language, converted to our religious faith, and imbued with some of the principles of liberty. Thus they began to entertain a sense of the degradation of their situation, and to be impatient to shake off the bond of slavery in which they were retained. This could not be done at once, but this the Government was anxious gradually and progressively to effect. But, when the slave population were daily becoming more enlightened—when every means were resorted to to impress them, if possible, with a deeper sense of the degradation of slavery, was not the safety and the well-being of the colonies frightfully endangered by intemperate discussions in that House—discussions which could only add to the flame of discontent which already too much prevailed? Formerly, in the colonies at least, the discussions upon this subject were all on one side. No one there ever dreamt of breathing a word in favour of emancipation. But what was the case now? A large and influential class of free persons had grown up in the colonies, whose religious opinions induced them, upon the subject of slavery, to adopt to the full the opinions of the hon. member for Weymouth. Among the conductors of the colonial Press, powerful advocates of these opinions were not wanting. There was now a newspaper published in the town of Kingston, in Jamaica, conducted, undoubtedly, with considerable talent and ability; but by no means with equal temper or moderation. He did not blame the editors for the spirit in which it was written; when he considered the example which was set by their opponents, it was not to be expected that they should abstain from violent language. He mentioned the circumstance as a fact too important to be lost sight of—that the controversy relative to the abolition of slavery was now raging with greater violence in Jamaica than at home. The *Watchman* on the one side, and the *Jamaica Courant* on the other, urged in the most violent language, the extreme doctrines of either party. That such a dispute, so maintained, must produce a powerful effect on the minds of the slaves, and that it must make the existing state of things full of danger, it was impossible to doubt. It had become, then, urgently and vitally important to determine by what course the fatal catastrophe which this state of things threatened, could be avoided. After the most mature deliberation on the subject, it appeared to Government that the only course left open was, steadily, temperately, but, at the same time, firmly, and determinedly, to enforce a full compliance with the Resolutions of 1823. This was the course which the present Government had pursued—and which, he trusted, Parliament would continue to support; and, however much they had hitherto been disappointed, he trusted that the Legislature of Jamaica would at length be prevailed upon to adopt the plan recommended. They had admitted the free people of colour to the enjoyment of civil rights, and he hoped that the same feeling which induced them to yield in that instance, would induce them also to abandon their opposition to the measures recommended by Parliament and Government. In putting an end to the distinctions of colour, they had evinced much liberality, which was the more to be praised, when it was considered how powerfully the minds of men were affected by long-cherished prejudices. He trusted that an equal liberality would soon be exhibited by them, in the far more dangerous and difficult question of slavery. He hoped that the determination of Government in coming forward to afford assistance to the sufferers by the insurrection and by the hurricane, without coupling their assistance with any conditions, would be accepted by the colonists as a proof that no ill-will or animosity had been excited towards them by their long resistance to the measures which they had been urged to adopt; but that, on the contrary, the House and the Government sympathised in their distress, and pitied their misfortunes. He also hoped that by attaching the proposed conditions to the general measure of relief which was to be brought forward, Parliament would manifest that resolute adherence to its declared purpose of effecting a real improvement in the condition of the slaves, which was no less necessary than a conciliatory spirit for the satisfactory settlement of the question.

Mr. *Robert Gordon* thought, that not one word had fallen from his noble friend (Lord Althorp) to which any reasonable person could object. He only hoped that the noble Lord had not given expression solely to the good feeling of his own kind heart, but that the opinions to which he had given utterance were those of the united Government of which he was a member. Believing it to have been the intention of his noble friend so to have expressed himself, he (Mr. Gordon) confessed that he much regretted to hear the hon. Gentleman on the other side of the House take the opportunity of entering so much at large into this question, because it was impossible to do so without introducing topics which were necessarily calculated to produce an excitement in the minds of persons whose tranquillity and good conduct were so necessary to the safety and well-being of the colonists. The hon. Gentleman's speech had, in some way, obliged the noble Lord, the Under Secretary for the Colonies, to follow the same course, and the noble Lord had, consequently, in his opinion, entered too much into a history of the transactions of the past. In every discussion upon this subject, he (Mr. Gordon) would advise the Government and Parliament to look to the future, and, as far as possible, to forget what was past. He would recommend that there should be no reproach—no expression of disgust or dissatisfaction towards the colonies for what was past. He would entreat the House to consider that the colonies were now in a suffering state, and, instead of complaining of their past conduct, to adopt, with as little delay as possible, such measures as should convince them that they had some sympathy for their distress—some desire to alleviate their difficulties; and thus, by a line of good policy and good feeling on our own part, to incite them to better conduct on theirs. The noble Lord, in one part of his speech, expressed a hope that what he had stated on a former occasion would not be construed into anything offensive to the colonies. Unfortunately, whenever this question was discussed, an unusual degree of heat seemed to arise; and even that night his noble friend had not been so guarded in some of his expressions as he (Mr. Gordon) could have wished. The noble Lord, however, concluded by expressing a hope that the grant which it was intended to propose would be received as a pledge of the intentions of the Government for the future. Taking it in that sense, he (Mr. Gordon) could not but hope that his noble friends would reconsider the whole state of the colonies, with the view of adopting, with the least possible delay, the best means of ameliorating their condition. In one part of his speech his noble friend had alluded to an expression which had fallen from Mr. Canning, and seemed to make it a pretext for what had been done. He did not think that any such expression, even from that distinguished Statesman, could justify any particular conduct on the part of the Government now. He would not detain the House at any greater length on the present occasion. He thanked the Government for what they had done, and hoped that they would go further. He was convinced that it must be for the interest of the country to have grateful and confiding colonies, and not a number of dependencies, anxious as he was afraid the West-India colonies had lately been, to throw off the allegiance of the mother country.

Mr. *Hume* observed, that the question was, whether we were to retain our colonies in such a way as might be beneficial to us, or in such a way as should continue them the blot which they now were upon our policy. On a subject of so much importance, he trusted the House would allow him to make a few observations. For years past he had been complaining of the evils which had arisen from the negligence of this country, and its misgovernment of the colonies in all parts of the world. The principle of attempting to govern the colonies in Downing-street, had been productive of an ever-varying system, pregnant with the greatest evils. The frequent change of Administrations, and the consequent change of policy of the Colonial Department, by each in succession, had led to a succession of changes in the mode of governing our colonies, which had been attended with the worst consequences. How was it possible that the colonies could be satisfied or prosperous, under such circumstances? The natural consequence of such a system was, that whether at the Cape of Good Hope, Canada, or the West Indies, there was nothing but discontent. He did not impute to any of the successive Administrations of this country a disposition to do anything injurious to the colonies; but the result of the system to which he had alluded was, that orders had been sent out to the colonial governments, which orders were subsequently revoked, and then again enforced. In that view it was that he regretted that the Government of this country had not many years ago taken the whole colonial system into consideration, in order to ascertain whether the colonies were not fit to manage their own affairs, instead of being kept in leading-strings and subjected to the fluctuating management of Downing-street. He repeated that he did not attribute the evils which existed in the colonies to any intention on the part of the Government of this country, but to the mistaken system which had been pursued. He regretted, therefore, that his Majesty's present Ministers, on coming into office, had not made an attempt to frame some general system for the administration of the colonies of a more satisfactory nature. He also regretted that every Administration in this country for a long period of time had shown a great distrust of all our colonies; and this want of confidence had led them to adopt measures and regulations not consonant to the feelings of the colonists, and which, therefore, were not received with the cordiality and attention that might otherwise have been expected. This was more particularly the case with respect to the regulations respecting the slave-population. As he was of opinion, that it was never worth our while to retain any colony that was expensive to the mother country, he had always been anxious to see some system adopted by which the colonies might be enabled to support themselves, and be no longer under the government of individuals with whom they had no immediate connection. He would proceed to make a few remarks on what had fallen from the noble Lord (Lord Howick). The noble Lord had, with great propriety, commenced his observations by a reference to the Resolutions of the 15th of May, 1823, and had stated, that he and his colleagues were anxious to carry those Resolutions into effect. No man who possessed the common feelings of humanity could refuse his assent to those Resolutions. But what were they? The noble Lord had made a great mistake. He supposed those Resolutions to contain what they did not contain; and, in consequence of similar errors on the part of others, the whole of the disputes and calamities in the colonies had resulted. In this, as in all other agreements, there were two parties concerned. In this, in fact, there were three. One party was the House of Commons, who were bound to discharge the duties prescribed to them by humanity; another party was the proprietors of slaves in the colonies, who were justified in defending their rights, to which rights the greatest attention ought to be paid; and the third party was the slaves, to whom they were bound to afford every protection compatible with the undeniable rights of the planters. This country seemed to have been led away by feelings of humanity (which no man was less disposed to blame than himself), and, by a wish to remove the blot off our present colonial system, to forget that that blot was not the creation of the present period, and that it was not created by the present proprietors in the West Indies. To do justice we should not visit on individuals acts which were not theirs, but the acts of their fathers, to whom they had succeeded. That seemed to be forgotten by many persons. The hon. member for Weymouth was one of those mistaken persons who seemed to have entirely forgotten that those acts were not the acts of the present proprietors, but the acts of their predecessors. What was the first of the Resolutions agreed to by the House of Commons on the 15th of May, 1823? "That it is expedient to adopt effectual and decisive measures for the ameliorating the condition of the slave-population in his Majesty's colonies." Had the proprietors in the West Indies ever denied this expediency? He had never met with a single man who did so. On the contrary, they all concurred in assenting to it. What was the second Resolution? "That through a determined and persevering, but, at the same time, judicious and temperate enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave-population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects." Did any one differ from the opinion expressed in this Resolution? No one that he was aware of. The only difference of opinion respected the rate of proceeding. The hon. member for Weymouth would have immediate emancipation. He (Mr. Hume) would not. For what must be the consequence of immediate emancipation, unprepared as the slaves were for the sudden enjoyment of the blessings of freedom? Let the slave be first put in a condition to enjoy the blessings of freedom before freedom was conferred upon him. He admitted that successive Administrations had pressed on the colonies measures which, in the view of those Administrations, were calculated to effect the improvement of the character of the slave-population? But he did not think that the noble Lord was warranted in saying that nothing had been done by the colonies themselves having that tendency. Such an assertion was not consistent with the papers which had been laid on the Table, and which proved that in different colonies means had been taken to ameliorate the condition and improve the character of the slaves. The noble Lord might think as he (Mr. Hume) did, that more ought to be done; but it was not fair in the noble Lord to state, or at least to leave it to be understood, that no progress whatever had been made by the planters to effect that which the House of Commons in this Resolution intended to effect. Now what was the third Resolution? "That this House is anxious for the accomplishment of this purpose, at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property. He asked the noble Lord whether the last condition mentioned in this Resolution had ever been attended to? Had any Administration, in proposing emancipation, proposed it in such a manner as would have respected the interests of private property? If not, was it surprising that the colonies should have opposed propositions which did not include that attention to the interests of private property which the Resolution of the House of Commons had declared ought to be inseparable from such propositions? It would be only manly were the House now at once to come forward and state in what precise relation the master and the slave were to consider themselves. At present, the colonies, believing that it was intended by the Government of this country, in the proposition which they had made, to refuse all that fair and equitable consideration of their right of property in their slaves which the Resolution of the House of Commons prescribed, rejected the principles laid down in that proposition. If his Majesty's Ministers were desirous of carrying into effect that complete emancipation which was undoubtedly so desirable, they must hold out the fulfilment of this Resolution; and while, on the one hand, they proposed emancipation—on the other hand, they must show how, in effecting that emancipation, the rights of property possessed by the planter would be respected. He would venture to say, that the moment his Majesty's Government held out to the West-India proprietors any hope, or showed them the means by which their property would be protected, so as to give them a fair consideration and compensation for the loss of the labour of their slaves, they would find them ready to meet their wishes. The noble Lord said we were on a frightful precipice. He was ready to admit it. Were his Majesty's Government prepared with measures to avert the impending calamity? Were they prepared with measures consistent with the conditions prescribed in the third Resolution passed by the House of Commons in 1823? Protests against the Order in Council of October last had been made by Trinidad, St. Lucia, Demerara, and almost every other West-India colony. It was not surprising that that Order, interpreted as the colonies naturally interpreted it, should lead to the rancour which had been manifested. He hoped, therefore, that his Majesty's Government would distinctly state to what extent they intended to afford protection to property in the colonies; and he was quite sure the people in this country were not so unjust as to wish to destroy that property which the colonists had derived from their fathers, without granting them that compensation to which they were entitled. He thought the measure which had been adopted by his Majesty's Government in October last a rash one; and he regretted that they had not paused until a Committee of that House had examined the subject. He was further convinced, that if the system of dealing with the colonies by Orders in Council were changed, and the measures to be adopted were brought under discussion in that House, much evil would be avoided, and the rancour and ill-will which were produced by ill-timed Orders, such as that of October last, would no longer be generated.

Mr. *Fowell Buxton* said, the hon. member for Middlesex had complained of the conduct of all parties except one. He accused him (Mr. Buxton) as being rash and hasty; he spoke of the Order in Council as dangerous to the colonies; but there was one set of men in whose conduct he could see nothing wrong, and that was the planters. The hon. Member said he had not met one of the planters that had objected to any of these Resolutions. But he would come to a plain matter of fact—he would come to their actions—and he would ask, had they ever shown themselves ready to carry into effect the feelings expressed by that House and by the country? They had been told of the convulsions in Jamaica. But, he demanded, what was the subject recently debated in the House of Assembly there? It was, whether women should or should not be flogged in public. He asserted that that subject was introduced twice in the colonial assembly, that obedient assembly, and the proposition for doing away with the custom of flogging women in public negatived. Yes, that point which Mr. Canning urged more than any other as necessary for the moral advancement of the slave, that the disgusting practice of the flogging of women in public should be abandoned, was, in 1831, rejected twice. First, by a majority of thirty-five to two; and next, by a majority of somewhat the same number. And yet his hon. friend, the member for Middlesex, saw nothing to condemn in the conduct of that assembly. Would his hon. friend tell the House what advances the colonists had made towards the extinction of slavery or the amelioration of the slaves? If he had seen any disposition on the part of the colonies to prepare the slaves, by religious instruction, for emancipation, it would have given him great joy; but the policy of the whole of the colonial assemblies was to reject religious instruction. That was the direct charge which he made. Let the House recall one name to their recollection when they reflected on this subject. Let them remember Mr. Smith of Demerara. When the colonial authorities had persecuted that martyr to death, what did they then do? They banished the missionaries from that colony, and passed a law to prevent their admission in future. At Trinidad, a public meeting was held, and superintended by a public functionary—and what was the resolution that meeting came to? Why, "that any attempt to instil religious instruction or education into the minds of slaves, is incompatible with the existence of slavery." Here the fact was plainly broached, that Christianity and slavery were incompatible, and these parties determined to reject the minor principle of Christianity, and to continue their beloved slavery. Need he remind the House of the disposition not to foster religion evinced by the inhabitants of Barbadoes in the scandalous proceedings of 1823, when the colonists assembled publicly demolished the chapel and hunted the missionary through the island with the avowed purpose of taking his life, and afterwards published a proclamation exulting in what they had done, they said the transaction was "as glorious to true Barbadians as Trafalgar was to Britain;" and they concluded with warning every missionary from the island on pain of death. Could hon. Members forget the memorable words once used, in a resolution of that House on a subject of the same nature, they were; "That this House deem it their duty to declare, that they view with the utmost indignation that daring and scandalous violation of the law." He now came to Jamaica; and in no colony had the spirit of persecution been more unequivocally manifested than in that island. He need hardly advert to the colonial newspapers, when they spoke of "the hanging woods of Trelawney" the clamour against the too indulgent governor who refused to hang the missionaries before trial, he would let them pass, and look to the acts of the legislature. Could the House forget what had been done by the assembly of Jamaica in 1826? They boasted of the Act they then passed as a miracle of liberality that was for ever to silence their enemies; but that Act was rejected by Mr. Huskisson, and the Government to which he belonged —by the right hon. Baronet opposite (Sir George Murray) and the Government to which he belonged—and by the noble Lord and the Government to which he belonged. By Mr. Huskisson it had been rejected "because it was a violation of that toleration which was due to all his Majesty's subjects." This Act, which, in Jamaica had been considered as one of superfluous liberality, had been rejected in this country as one of unbearable bigotry. Its object was to do that by legislative means which had been done by violence at Barbadoes, and by murder at Demerara. The House of Assembly at Jamaica put down the schools, shut up the meeting-houses, and abolished religious instruction altogether. But no general statement would so clearly illustrate the temper of the planters on the subject of the religious instruction of their slaves as one or two case he would quote. The first case he would mention was that of Henry Williams; and if the hon. member for Middlesex knew it, he would not shock the House with a statement of it. He ask the hon. Member, whether he was acquainted with the case?—["*No*," *from Mr. Hume*.] Then he would state it. In 1829 a most respectable negro—more than ordinarily respectable, and, in fact, so free of blame that his only fault was going to church—was punished because he attended prayers. His first master allowed him to go to church; but, on his being transferred to a new master—to a Mr. Betty—he was summoned before him, and informed that if he went again to church he would send him to Rodney-hole workhouse. The sister of this Williams, on hearing this, sighed; and for that offence she was stretched naked on the ground, and flogged. Williams, it appeared, went to church, was afterwards sent to Rodney-hole, and was flogged so severely that for a long time he had to lie on his stomach, his back being one mass of corruption. Yet such an act was perfectly legal, for, on the question being submitted to the Law

Officers of the Crown, it was the opinion of those authorities that there was no law to prevent a planter from flogging a female slave for sighing, or her brother for worshipping God. Mr. Betty took still higher grounds, and said, he was ready to submit his conduct to a Jury of twelve planters, because he was fully convinced that he had done nothing but what a West-India planter was by law entitled to do. He did not, however, complain so much of Mr. Betty as he complained of the state of the law which allowed such cruelty. That was not a solitary case, and let the House only recollect how such conduct must influence the slaves on certain occasions. Suppose that the riot which had lately occurred at Jamaica—it might have been more—it might have been an insurrection—although if so, he could show who were the insurgents, and that it was the planters by whom it had been caused—suppose that riot had occurred on the occasion which he had alluded to, who could have lamented it? If the miscreant who had committed the atrocity had been put to death, who could have lamented it? The next case he had to mention was that of George Atkins, who had been found guilty, in 1830, merely of attending at the House of his pastor, and of being seen in the act of prayer. There was no other charge against him except that of praying, yet that person was convicted, and sent to prison for six months.

Mr. *Burge* rose to order. He put it to the House whether such a train of invective ought to be permitted.

Mr. *Buxton* said, he was strictly in order, and in spite of the hon. Gentleman, unless he was told to desist by the Speaker, he would proceed. He would go to another point: Mr. Nibbs, a Dissenting clergyman, being ill, had the people at his house on Easter monday, 1830. There was nothing illegal in this—all was closed before eight o'clock, and for this monstrous act of being at prayer, a slave [" *Oh, oh!*"] Gentleman might exclaim "Oh!" and be astonished at what he related, but he was so certain of the fact, that, if the Under Secretary of the colonies would deny the circumstance, he would at once sit down; or if the gallant Officer would deny it, he would sit down: but till it was contradicted he would say what he had to say. Well, that negro, whose name he had forgotten, and which the noble Lord would, perhaps, have the goodness to recall to his memory—that negro Swiney, he now recollected the name, was tried for the offence. One man proved that he saw his lips move, and that he was in the attitude of prayer, and for that he was convicted, sent to hard labour and flogged. Another negro was convicted of a similar offence, and sentenced to six months confinement; while a white for the murder of a slave was sentenced by the same tribunal, to only five months' imprisonment. So different was the guilt of worshipping God and killing mankind! The truth was, nothing had been done for the religious instruction of these unhappy people. The slaves were in utter darkness. They had no knowledge of Divine truth, and the planters, for their own sakes, were the causes of it. He meant to say, that the planters were the cause of all this ignorance, and the insurrection and rebellion that ensued. He wished his words to be taken down. For the last six months what had they heard of in these Colonial Assemblies but seditious and inflammatory language? They talked only of throwing off the yoke, and joining Americ. They spoke of arming—of shaking off their allegiance—and going to war with the mother country. To be convinced of this, it was necessary only to refer to some of their public proceedings. He found the following Resolutions in the *Port-Royal Gazette* of the 13th August: 'At a very numerous and 'respectable meeting of the inhabitants of 'the parish of St. Ann, convened by his 'honour the Custos, this 6th day of August 1831, and held at the Court House, 'St. Ann's Bay, his honour the Custos having been called to the chair, the following 'Resolutions were unanimously agreed to:

'Resolved—That we, the inhabitants 'of the parish of St. Ann, have repeatedly 'expressed our warmest indignation at, 'and abhorence of, the oppressive measures 'pursued by the British Government towards the West-India colonies.

'Resolved—That while there was a 'hope of conciliating our implacable foes 'we acquiesced cheerfully in the conduct 'of our Legislature; but it is now evident 'that the concessions yielded by that body 'have been successively obtained under 'pledges and promises on the part of 'Ministers, "to abstain from all future interference in our local concerns;" which 'pledges have been violated in every instance; giving us thereby convincing 'proof that perfidy and determined op-

'pression, as far as regards the colonies, 'are the ruling principles of the British 'Cabinet.

'Resolved—That hitherto, under the 'most marked infractions of our rights 'and privileges, we have been loyal; the 'attachment to the mother country has 'indeed long, very long, outlived her jus'tice; and it would now be with grief 'that we should divest ourselves of a feel'ing "which has grown with our growth, 'and has strengthened with our strength;" 'but when we see ourselves scorned, be'trayed, devoted to ruin and slaughter, 'delivered over to the enemies of our 'country, we consider that we are bound, 'by every principle, human and divine, to 'resist.'

The two last words were printed in capitals. Again he would call the attention of the House to an advertisement, which appeared in *The Jamaica Courant* of the 16th of July last.

'Shortly will be published, *The Signal, 'Carpe Diem,* a periodical work, written 'for the express purpose of rousing the 'latent energies of the inhabitants of 'Jamaica: to lay open the perils which 'await them; to point out the means of 'avoiding them; to stimulate all classes 'to a close and unanimous effort in defence 'and preservation of their just rights and 'privileges, their altars, their homes, their 'families, their properties, and their lives; 'to show the necessity of throwing off the 'yoke of a tyrannical Government; and, 'finally to lead to that independence of 'which local advantages promise the at'tainment.

'The Government which arbitrarily 'or capriciously invades the right of pri'vate property, releases the oppressed 'sufferer from obedience and allegiance.'

'To your tents O Israel!'

Such was the language used in their newspapers, as well as at the public meetings. He knew that nothing was to be feared from such language as it was rather ridiculous than dangerous, as far as England was concerned. He knew well, that they could not think seriously of throwing themselves into the arms of America. As for resistance, that would be quite out of the questtion. How could the whites of Jamaica think seriously of throwing off the yoke, when the whole male white inhabitants of that colony capable of bearing arms, between the age of sixteen and sixty, did not exceed 4,000. He did not dispute the valour of these 4,000 heroes, but they would have something upon their hands; they would have, first, to conquer his Majesty's troops—no doubt an easy task; secondly, they would have to overthrow the free people of colour; and, having accomplished these two exploits, they would have to subdue, and to keep in subjection, 330,000 slaves. He acquitted them, then, of seriously meaning to punish Great Britain; they only meant to frighten her; they supposed that timid persons would imagine that men so terrible in word, would be as terrible in deed. They talked of transferring their allegiance to America. Would the free people and the negroes consent to that? He held in his hand an Act of the legislature of Carolina, which he begged leave to quote, for the purpose of showing whether there was likely to be a junction between the colonies and America. It was called an Act for the better Government of the Free People of Colour. It stated, that, if any vessel arrived at any port in that state containing a crew of free blacks, they should be immediately taken to gaol, there to remain for a given time. The clause contains these words, to which he wished to direct the attention of the House—"and such free people, or persons of colour, shall be deemed and taken as absolute slaves, and sold, in conformity with the provisions of the Act passed for that purpose." Why, this was a positive decision upon the subject, a clear answer to the argument to which he had just referred. There was not a government on the face of the earth which had expressed such disaffection to, and contempt of, persons of colour, as the American government. Here was the olive branch. This was the temptation held out by America to seduce away the affections of the people of colour. England need fear no dangerous rival in that quarter. He had done; he had no intention of speaking to-night, and if he had spoken warmly, the learned member for Eye, and the hon. member for Middlesex imposed upon him the necessity of doing so.

Mr. *Goulburn* deprecated the introduction of subjects which could not benefit any individual whatever, and which were wholly foreign to the matter in hand, he therefore, trusted the hon. Member would not think he was treating him with any disrespect, if he took no further notice of the extraneous matter which had fallen from him, but at once addressed himsel to the subject before the House, which was, whether they should go into Committee for the purpose of considering the Bill for the regulation of the sugar duties. He had expected, on this occasion, to have heard from the noble Lord the Chancellor of the Exchequer, some justification for the course he had adopted—some statement of the grounds on which he had departed from the course usually pursued in respect of these duties, by legislating for the limited period of six months. The noble Lord must be sensible that great inconvenience would be sustained by every individual concerned in the sugar trade from the uncertainty in which he had left it. Under the circumstances in which that trade was now placed, it was hardly necessary to say, that very few sales would be effected, as both buyer and seller would be desirous of waiting as long as possible in the expectation that at the end of the six months, the duty would be taken off. The noble Lord, if it were only in charity to these suffering interests, might have made some statement which would tend to remove the difficulties in which they were involved. The noble Lord told the House that he was not prepared, on the present occasion, to enter into a financial discussion of this question. That certainly would be a perfectly fair and just argument, if they now called upon the noble Lord suddenly, or if the arrangement he proposed to make were one on which he had recently determined; but nearly a year had elapsed since the noble Lord contemplated the very arrangement to which he now proposed to give effect; and if he had consulted what is due to these suffering interests, and what is due to the public service as regarded the collection of the revenue, he would not have allowed so long a period to have elapsed without maturing the plan he intended to adopt so far as to be enabled, whenever the sugar duties were proposed, to accompany that proposition with a definitive statement of the course he intended to pursue. This would have been but fair, open, and just to those who were interested in the consumption, and to the planters, who were at least as fully interested in the matter. He did not at all enter into the question whether the noble Lord's ultimate arrangement was one which ought to be adopted, but he asserted that the House had a right to know, at the earliest possible period, what the measures of Government were, in order to prevent speculations and fluctuations in the market, which an uncertainty regarding the duties must inevitably give rise to. In making these observations, he begged to say, that he was not in the slightest degree disposed to undervalue the consideration which the noble Lord had professed himself ready to give to the cases of those who had unfortunately been sufferers by the recent occurrences in the West Indies, though the relief that he was now about to afford would have been received with greater gratitude if it had been given at once, when it would have been considered as the spontaneous effusion of the liberality of his Majesty's Government on hearing of the enormous losses which had been sustained by the West-India proprietors; still the measure recommended by the noble Lord although rather tardy, was liberal on the part of Government, and deserved to meet with gratitude and approbation. On this part of the subject he spoke quite disinterestedly, because he thanked God, he himself had not been a sufferer by the recent insurrections; though he was interested in the welfare of the colonies, he did feel most strongly that if his Majesty's Government had not given assistance to those persons whose property had been destroyed, the necessary effect would have been that a large body of the slaves, in a state of excitement and irritation, would have been let loose upon the remaining property of the island, and a scene of universal destruction and devastation must have ensued. He wished that he could also have expressed his gratitude to the noble Lord for the introduction of some general measure, but he feared that, even when these six months had passed away for which the duties were now to be granted, he should not even then have an opportunity of expressing his opinions upon any such Bill. Although he thought the measure they were now going to advance a step would aggravate every difficulty in which they were involved, he should not, like some of his hon. friends, avail himself of this opportunity of entering into a discussion on the general question, but would content himself with saying that he deeply deplored the losses and sufferings of the colonies, and felt anxiety to afford them relief.

Lord *Sandon* said, he must join the right hon. Gentleman in deprecating the discussion of the slave question on such an occasion as the present. His chief object in rising, however, was, to ask the noble Lord whether the terms of the Order in Council, which the colonies were bound to obey, were definitely fixed, or whether it was proposed to reconsider the question at some future period? He could not sit down without calling the attention of the House to the difficulty of the question of slaves, which had been introduced by two hon. Members. When the House saw two Members take such different views of the question, and display such extreme and opposite feelings, need they wonder at the strong feelings which had been displayed by some of the planters? He regretted that such strong expressions had been used by the hon. member for Weymouth, because those sentiments would go forth to the colonies, and would tend to sow discord among all classes in the islands. While hon. Members were so reckless of the consequences of strong language, could they be surprised that the planters were not more reasonable than themselves? He did not stand there to defend the colonists—he believed they were guilty of great indiscretion, of great violence and injustice; but he must at the same time say, that allowance ought to be made for their situation—that they believed their affairs had been neglected by the Government—that they had been reviled by certain parties in this country, and the worst construction put on their conduct; and, looking at these circumstances, could the House be surprised that they had not conducted themselves with all the coolness of disinterested speculators? He disapproved of the strong language used by the hon. member for Weymouth, and must say, that the interruption the hon. Member received was deserved.

Lord *Althorp* said, that the Order in Council, which had been sent out to the colonies, was the order upon the compliance with which the relief to the colonies was to depend. If Gentlemen could point out anything in the details, the operation of which would be unfitted to the management of the slaves, his Majesty's Government would be quite ready to attend to such suggestions; but to the principle of the Order in Council they were determined to adhere. When his noble friend laid the whole blame of the irregularity of the discussion upon his hon. friend, the member for Weymouth, he thought he scarcely did him justice; for the discussion into which his hon. friend had been led, had been introduced by others; and it was impossible for a Gentleman—feeling as his hon. friend was known to feel—not to answer the observations which had been made. He concurred in regretting the introduction of such topics, and was always sorry when they were adverted to. The right hon. Gentleman (Mr. Goulburn) said, that he was disappointed at his (the Chancellor of the Exchequer's) not having stated in detail the course of proceeding which his Majesty's Government proposed to follow, and said, that he ought to have done so, if only to justify his proposition of moving the sugar duties for six months, instead of the usual time. The grounds upon which he abstained from doing so were, first, that up to the present moment the Committee upon West-India affairs had not made a Report; and, secondly, as the measures of relief were to be conditional, he wished to give time to the colonial legislatures to consider the Orders in Council, before the measures of relief were brought forward. But then it would be asked why he had alluded to those measures of relief at all? He confessed that the ground upon which he had done so was, one which was personal to himself—it was lest it should be thought that he did not intend to redeem the pledge which he had given last Session. He could not imagine that his moving the sugar duties for six months was likely to create that degree of embarrassment, which the right hon. Gentleman supposed, because within the six months the question must come on to be finally settled, and he did not think that the course he had taken was likely to affect the sales. It could not have interfered with them up to the present time, for the prices of sugar had risen. He was aware that the rise of price was owing to the loss which had occurred in Jamaica, and the apprehension of a short supply; but still it could not be said, that his moving the duties for six months had produced embarrassment.

Mr. *Keith Douglas* said, that the great difficulty in the way of the Order in Council had been, that it was not adapted to some colonies; but as Government was prepared to adapt the details of the measures to circumstances, that altered the whole question, and the explanation of the noble Lord might lead to an adjustment.

The House went into a Committee on the Bill.

Mr. *Keith Douglas* proposed a clause for the purpose of altering the mode of charging the duty on bonded sugars—namely, to charge it on the quantity taken out of the warehouse, thereby relieving the importer from paying duty on the wastage.

Mr. *Poulett Thomson* said, that if this regulation was adopted in respect to sugar, it should be extended to other articles; and the proposition would be better deferred till the consideration of the Customs' Bill.

Lord *Althorp* said, that the only way in which this alteration could afford relief was in the amount of duty. Now the average loss of each hogshead of sugar was 20lb., which, if allowed, would be a trifle to the importer, but would produce a loss to the revenue of 90,000*l.* a-year.

Mr. *Warburton* said, he had intended to submit a proposition that the duty should be laid on sugars in proportion to their quality, but he should not bring it forward at present.

Clause negatived. The House resumed.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — AMENDMENTS — FINAL STAGE.] On the Motion of Lord Althorp the House resumed proceedings on the Third Reading of the Reform Bill.

Lord *Althorp* said, there were several small amendments with respect to the Welsh boroughs, which he was desirous to introduce into the Bill. It had been found that the rule which applied to the English boroughs respecting districts within seven miles to allow an elector to vote, could not fairly be acted on in the case of the Welsh contributary boroughs, and, therefore, it had been thought necessary to make some alteration.

The Amendments read, and agreed to.

Colonel *Sibthorp* rose to bring forward the Amendment of which he had given notice. He said that he should persevere in pressing it on the attention of the House, notwithstanding any apparent indisposition to listen to his arguments. He acted from a conscientious sense of duty, and would not be deterred from the performance of that duty. He contended that the Bill before the House would not protect the prerogatives of the Crown, nor preserve the rights of the people, but ultimately destroy both, and repeated his assertion of last night, that the right hon. Secretary for Ireland, the *Magnus Apollo* of the Treasury Bench, was put forward on every occasion to stand the brunt of the battle. That *Magnus Apollo* had declared last night that Ministers were ready to bear the whole responsibility of the measure; if he (Colonel Sibthorp) were not mistaken, the burthen would be much too heavy for their weak shoulders. The Budget had proved their incapacity. He did not impute to them want of honesty, but want of mind—not baseness, but imbecility. The right hon. Secretary had last night quoted the authorities of those now no more individuals, Sir Richard Steele, and Sir Robert Walpole, but he (Colonel Sibthorp) contended, that many other such names could not justify or even excuse the course Ministers had taken. He preferred the authority of the right hon. members for Tamworth and Aldborough, and the hon. and learned member for Boroughbridge, to all those brought forward by the right hon. Secretary, as better acquainted with the present state of the country, and the wants of the people. He then alluded to the expression *brutum fulmen*, which had been used during a former debate, and asked whether compunction of conscience was that *brutum fulmen?* If it were, Ministers would, perhaps, ere long, find it penetrate very deeply. He contended, that distress was general, and that it had been created by the Reform Bill; it especially pressed upon agriculture, and the depreciation in that branch was at least forty per cent. Ministers, indeed, had said, that the passing of the Bill would remedy all these evils; he hoped at his next rent-day that he should find it so, for he knew that at his last rent-day, he had been obliged to make deductions of from fifteen to thirty per cent. As he observed the House was very impatient, he would take leave of the measure, by expressing his detestation of the detestable Bill. He hoped that it would meet the fate which it deserved in the House of Lords; and, without feeling the slightest animosity to the hon. Gentlemen opposite, he prayed to God that before this day month they would cease to hold office. He concluded by moving "that all freeholders whose freeholds in the county of the city of Lincoln are situated on the northern side of the river Witham, shall vote in future for the Representatives in Parliament for the division of Lindsey, in the county of Lincoln; and all freeholders whose freeholds are situated on the southern side of the aforesaid river, in the same city, including the four parishes annexed by charter to the said county of the city, shall vote for Representatives in Parliament for the divisions of Kesteven and Holland."

Mr. *Kearsley* said, he rose to second the Motion, and to condole with his gallant friend on the abbreviation of his speech. The noble Paymaster of the Forces had said, on a former evening, that the law-officers of the Crown had been at a discount for a long time; but the noble Lord must allow him to say, that if Ministers were to go to the Exchange, they would find that they stood at a much heavier discount. He perceived that the noble Lords opposite, and their disciples at their backs, were resolved not to listen to the voice of a charmer. They had now arrived at the last stage of this damnable Bill.

The *Speaker* said, "The hon. Member will pardon me, for reminding him that he rose to second the Amendment, and ought not to speak so vaguely."

Mr. *Kearsley* said, that he had carefully examined the Bill, and found that its complexion varied in an extraordinary degree; the colours were dingy brown, black, and grey, but he looked in vain for the fair. It was a nauseous pill, composed of two ingredients in themselves most venomous. Would to God he had one in his right hand and one in his left, how he would crush them! One of these ingredients was the Russell brown. The other was produced on a tree having a dark stem and a black top-knot, and was called Durham mustard. Having done with the Bill, he now turned to the more pleasing duty of gracefully acknowledging the indulgence which he had experienced from the House. Come what might of the vile pickpocketing Bill, nobody could deny that their respected Speaker had filled the Chair with advantage to the country, and satisfaction to himself. To him he would say, on behalf of himself and his friends, "Farewell, God bless you!" and to Ministers he would say, "Farewell, may you meet your deserts!"

Mr. *Wilks* said, the Amendment which the hon. and gallant Member had proposed, would have the effect of making it necessary for voters in the city of Lincoln to go fifteen miles to the poll, instead of three miles, as was provided by the Bill, as it now stood. The alteration would, therefore, be injurious to the very persons whom the hon. and gallant Member was desirous to benefit.

Mr. *Goulburn* thought, that his hon. and gallant friend was more likely to know what would be agreeable to his constituents, than the hon. and learned member for Boston. It had been said, that the Amendment would produce inconvenience, but the electors of Lincoln were the best judges of that in the present case, and he understood they approved of the Amendment proposed by his hon. and gallant friend.

Mr. *Heneage* begged to acquaint the House, as the colleague of the hon. and gallant Colonel, that he was given to understand, from actual communication with the inhabitants of the district north and south of the river Witham, that they were quite satisfied with the arrangement made by the Bill as to their right of voting.

The House divided on Colonel Sibthorp's Motion: Ayes 27; Noes 169—Majority 142.

Mr. Mackinnon moved, "That in all cities, towns, or boroughs, included in schedule C, together with the town of Liverpool, the right of voting should be exercised only by those persons occupying houses above the rental of 20*l*. in value."

Negatived.

Mr. *Freshfield*, in rising to move an Amendment to clause 31, said, that he was actuated by the wish which was evidently entertained by the framer of the Bill, with regard to the preservation of the right of persons entitled as burgesses or freemen by servitude or birth. As the clause now stood, it might be a question 100 or 200 years hence, whether a person should be admitted into the list who could not make out his pedigree. The simple course would be, never to put a voter to the necessity of proving more than that the person through whom he derived his claim, had been regularly registered. He would, therefore, propose, as an Amendment to the clause, that the word "originally," in page 12, should be struck out, for the purpose of inserting the word "immediate."

Lord *Althorp* said, that the tendency of the Amendment proposed by the hon. Member was, to restrict the right of voting, and he could not give his assent to it.

The *Attorney General* was of opinion, it would be safer and better to leave the clause as it stood.

Lord *John Russell* then rose and said, that it now became his duty to move that this Bill do pass. It was not his intention to enter into any argument on the merits of the Bill, which had been so long, so frequently, and so elaborately discussed, with great talent, ingenuity, and ability; but he trusted that he should not be thought to presume too much on the indulgence of the House, if he said a few words on this, the last occasion, expressive of his deep sense of the support which the promoters and proposers of this Bill had received from the majority of the House—a majority composed, he felt bound to say, in consequence of what had been stated to the contrary, of a greater number of independent men than had ever supported a great measure brought forward by Government. The supporters of this measure had frequently been accused and taunted with supporting the details with a kind of blind adherence to the propositions of Government; but it was not to be denied that those who were really, heartily, and cordially attached to the cause must think it necessary to support every part of the measure by which that cause was forwarded, without distracting the attention of Ministers by pressing any particular views of their own, and thus endangering the success of the great cause itself. By such assistance and forbearance on the part of the supporters of the Bill, the Government had been enabled to carry it through the Committee little changed and not at all impaired; and they were now about to take it up to the other House of Parliament, as complete in its integrity, and as full in its efficiency as when it was first introduced to the notice of the House. He thought it necessary to say thus much, because he knew that the support thus given, so constantly and so independently to Ministers, had been given, not to themselves, but to the measure with which they were connected, and which they had submitted to the consideration of Parliament. Of the measure itself he would only say this —that, after the repeated discussions which it had undergone, it seemed to him still, as it seemed at the commencement, a Bill founded on the original principles of the Constitution, and conformable to the ancient and inherent rights of the people of England, which granted, or rather confirmed those rights to the people who, being entitled to them, were also worthy to exercise them; and, lastly, tended to satisfy the wishes and desires of the nation, which it would be impossible for any authority of King, Lords, and Commons together much longer to withstand, and, at the same time, preserve the peace, tranquillity, and confidence of the country. The Bill, then, effecting these objects, and by being based on the principles of the Constitution, adapted to the circumstances of the present day, and tending to satisfy the general desire of the country, was, in his opinion, a measure which it became the House of Commons to pass, and which all who desired the safety and future good government of the country ought to wish to see established the law of the land. The discussions which had taken place in that House with respect to the future effects of this measure all turned upon this single point—that the opponents of Bill and of Reform in Parliament, in general conceived the Representation produced by the present construction of the House was better than a Representation of the people, and that the advocates of Reform on the other hand, conceived the Representation of the people better than the present Constitution of the House—in short, that the one party thought the present system better than the people, and the other believed the people to be better than the present system. In the latter opinion he felt more and more confirmed, and when he looked, on the one hand, at the abuses and corruptions which had crept into the present system; and, on the other, to the intelligence and love of liberty which characterized the people of this great community, he felt quite persuaded that the bringing of them into more direct connexion with that House by Representation would tend to the better Government of the country, to the purity of our political system, and likewise to a great moral change, which, so long as the present corruption in our system of elections existed, we could never hope to see established. These anticipations might be sanguine and unfounded, but they were anticipations which, he was convinced, he did not feel alone. They were felt, not in that House only, but throughout the country, and he was persuaded that there was in this the consideration, that the country, whose desire it was to see pure and good Government established, did, by that wish alone, show itself, in a great degree, worthy to exercise the power which it was proposed to give it. He trusted that he had not said anything calculated to excite debate, and still less to irritate feeling. For his own part, he believed that the greater number of those who had opposed the Bill, had done so from the conviction that the present system of Government, whatever might be its faults in details, was yet, on account of the blessings which it had bestowed on the country, entitled to permanence in its present state. They thought that those blessings were endangered by any change in the House of Commons; and though he differed from them on that point, he felt bound to give them full credit for the sincerity of their convictions, and he felt now, as he always had done, that however impressed himself with the usefulness and necessity of this Reform, there was in political measures so much to be considered, both with respect to the abstract questions of expediency and right, and with respect to the practical question of the immediate circumstances before them, that he would not venture to pronounce who, at this moment, was in error. With respect to the expectations of the Government, he would say, that in proposing this measure they had not acted lightly, but after much consideration, which induced them to think, a year ago, that a measure of this kind was necessary, if they meant to stand between the abuses which they wished to correct, and the convulsions which they desired to avoid. He was convinced that if Parliament should refuse to entertain a measure of this nature, they would place in collision that party which, on the one hand, opposed all Reform in the Commons House of Parliament, and that which, on the other, desired a Reform extending to universal suffrage. The consequence of this would be, that much blood would be shed in the struggle between the contending parties, and he was perfectly persuaded that the British Constitution would perish in the conflict. I move, Sir, that this Bill do pass.

Mr. *Goulburn* said, after the observations of the noble Lord, he rose to avail himself of this last opportunity of doing that, with respect to those Gentlemen who had opposed the measure, which the noble Lord had done with respect to the supporters of it. He should do great injustice to his own feelings, if he forbore to avail himself of that occasion of expressing the sense which he felt of the assiduity, independence, and talent displayed by those hon. Gentlemen who had opposed the measure which the noble Lord was about to carry to the Upper House. He should feel he acted with double injustice, if, after hearing the supporters of the Bill eulogized in the way they had been by the noble Lord—he forbore to put in a claim for those who had opposed that measure—if not with equal effect, yet with not less indefatigable zeal and talents. Those hon. Members who had opposed this Bill, had an up-hill path of duty to perform; they had not been deterred by repeated discomfitures; but had maintained their posts amidst storms and angry debates—amidst the jeers and scorns of a large portion of the House; and if he were called on to give his conscientious opinion, as to which side the victory in debate belonged, he should say that it fairly remained with that party which had felt it to be its duty to strenuously oppose the measure. Nor could he allow that there had been shown, on the side of their opponents, a superior share of independence in the discharge of their duties. On the side from which he had the honour to speak, there had been, at least, as much independence, and as much pure disinterestedness as could be found on the other. It was not his purpose—any more than it could be the wish of the House—that he should enter into the details or the principles of this measure; he was contented to leave that part of the subject where it had been left by his friends in the course of this debate. He would rest it on the able speeches of those who had taken part in the debate—which had comprised all that could be advanced on the subject, and most forcibly urged on the side of those who opposed this Bill.—The noble Lord said, the difference between the supporters of the Bill and its opponents was, that the former were the Representatives of the people, and that the latter were the Representatives of themselves; but he must tell the noble Lord that in saying so, he made a statement which, in point of fact, was incorrect: the difference between them had not been between the Representation of this House, put in contradistinction to the Representation of the people: the question between them was, who were the people? The opponents of the Bill considered the term "people" to include every class in the country, as much the wealth of the country, as all other classes; that each class should possess its proper Representative, that the British House of Commons should be composed of Representatives from the different interests, possessing a stake in the country, and that a preponderance should not be given to one particular class which, in its result, might bear down and overpower the other interests of the State. This was the distinction that existed between the noble Lord and himself, as to the principles they had maintained. He felt it his duty to say a few words in answer to that part of the statement of the noble Lord, as it carried with it an imputation, from which he felt anxious to stand discharged. The noble Lord further said, that he supported this Bill, because it was calculated to put an end to the corruption of this House, and to the bribery and perjury of the present electioneering system. In that respect, also, he could not subscribe to the opinion of the noble Lord, for he did not believe that the system of Representation which the Bill was intended to destroy, led either to the corruption of the elected, or to the bribery and perjury of the electors. If he could bring himself to entertain that belief, he should have much less objection to this Bill than he had at present, but the more he contemplated it, the more was he convinced it would act against the general interests of the country. When he saw so great a change about to take place in the House of Commons—when those principles were about to be destroyed, which had formed the character of the present House, and a greater dependence was to be placed on the multitude than on the other interests of the country, he was not convinced that the change was likely to be conducive to the interest of the State, or to the promotion of general economy. He had thought it right to address these few words to the House in answer to what had fallen from the noble Lord. He hoped he had said nothing that would lead to a debate. He knew his feelings were strong, and if he were to give way to them, he might be led into a long discussion; therefore he had spoken under considerable restraint, feeling, as he did, that the Bill was pregnant with danger to almost every interest in the State. Indeed, the only chance of salvation which the country now had was, that this Bill though sent from the House of Commons might never be passed into a law by the assembly to which it was now going.

The Bill was then passed.

The next question, "That this be the title of the Bill—A Bill to amend the Representation of the people of England and Wales," was carried by acclamation.

Lord John Russell and Lord Althorp were ordered to carry the Bill to the Lords, and to request the concurrence of their Lordships to the same.

HOUSE OF LORDS,

Monday, March 26, 1832.

MINUTES.] Returns ordered. On the Motion of the Earl of MALMSBURY, Copy of a Report of the Visiting Magistrates of Winchester Gaol at the last Assizes.

Petitions presented. By Lord TEYNHAM, from the Inhabitants of Crossmolna, for the Abolition of Tithes and the Repeal of the Vestry Act (Ireland):—By the Earl of WICKLOW, from the Clergymen of the Diocese of Cork, against the proposed Plan of Education for Ireland.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—FIRST READING.] Lord John Russell, attended by Lord Althorp, and a great many other Members of the House of Commons, brought up the Reform of Parliament (England) Bill, to the Lord Chancellor at the Bar.

Earl Grey moved, that the Bill be read a first time.

Bill read a first time, and ordered to be printed.

Earl *Grey*, in rising to propose a day for the second reading of the Bill, said it would not be expected that he should at that time enter into any of the details of the measure, as that had better be reserved for another occasion. It was his desire that every opportunity should be afforded for the fullest consideration of it, both in its principles and details; but, keeping in view the time that had been allowed for consideration and discussion when the subject was before their Lordships last year, he did not think that the motion for the second reading should be postponed to any distant period. It was his intention to have proposed the second reading on Monday next, but, out of deference to some who thought an interval of a few days longer would be desirable, he had no objection to name the Thursday following, and he would therefore propose that the Bill be read a second time on Thursday, the 5th of April.

The Earl of *Harrowby* said, he was glad to hear the noble Earl propose Thursday week for the second reading of the Bill, for although a similar bill had certainly been much considered and a good deal discussed when it was before their Lordships in the course of the last year, yet, looking at the vast importance of the measure, it appeared to him that a considerable interval ought to intervene between the time when the Bill was brought into this House and the second reading; and, therefore, he approved of the prolongation of the period between the first and second reading as proposed by the noble Earl. Although noble Lords had deliberated fully and at length upon the last Bill, still he did not conceive that this circumstance would enable them to determine the line of conduct they ought to adopt with respect to the second reading of the present measure. He begged to tell their Lordships that it was not the same Bill which was now laid before them. It bore, undoubtedly, a great resemblance to its predecessor, more than he at one time flattered himself it would bear, and more than he conceived it ought to bear, before he, as an individual, could consent that it should pass. Yet, granting the fact of the resemblance, he was far from denying that there were points in the present measure—points, too, not unimportant either in principle or practice—in which it varied from the Bill brought up to the House last Session. In the first place, in the Bill which was before them in the course of the last Session, the leading principle of disfranchisement was founded on population, or on the depopulation of the places to which the disfranchisement was to attach. In the present Bill, that principle had been abandoned, and a different principle, that of population combined with wealth and taxation, was substituted. He did not by any means admit that this was the best principle that could have been adopted; but still it was an alteration in the principle, and in his opinion an alteration for the better. In the next place, in regard to the enfranchisement of places, the principle now adopted, was not that of population merely, but of population continued with the relative importance of the place. In the third place, there was a very material difference in the manner in which schedules B and C had been constructed. The number of boroughs in schedule B had been reduced, and some of the places which were before contained in that schedule, were to continue to retain two Members. In schedule D also, the number of boroughs had been diminished, and in several more of the places proposed to be enfranchised, than by the last Bill two Members were to be allowed, which it was before intended should only have one. This was an essential difference between the former and the present Bill. In the fourth place, a most important difference between the former and the present Bill, consisted in this—that by the former Bill, the peculiar interests belonging to persons having the freedom of corporations were to be limited to the period of the lives of those in the actual possession of them; whereas, by the present Bill, the privileges of freemen of corporations were not to be limited to the lives of those in possession, but were perpetuated in their successors. This was, unquestionably, a most important difference in practice, and as it appeared to him, an essential distinction in principle. Another very material distinction was, that by the present Bill twenty-one Members were to be allowed to England beyond the proportion allowed by the former Bill, by which means the relative proportion of the representation of the three divisions of the empire were more justly preserved, and placed on a better footing. It was also, in his opinion, a favourable circumstance, in regard to the present Bill, as compared with the former, that it contained an indication of an intended improvement in the construction of the constitution of the large places, to which the elective franchise and the representation were to be extended. He observed that the Mayors of such places were to be the returning-officers, from which he inferred that it was intended to incorporate them, or to make some material alteration to that effect in the actual constitution of such places. These were, in his opinion, very material distinctions between the former and the present Bill, and the alterations were unquestionably worthy of consideration by their Lordships, and had been wisely introduced by those who had the framing and management of the measure. There was also an alteration of some importance as to the manner in which the 10*l.* qualification was to be applied, as well as in the machinery of the Bill upon which he would then give no opinion. Upon the whole, those of their Lordships who might recollect the sentiments which he had expressed as to the question of Reform, when the measure was under consideration and discussion last year, and heard what he had now stated, would, no doubt, be led to conclude that he intended to vote for the second reading of the present Bill; he must state that he did; not that he expected that his vote was of any particular importance, or that he presumed that it would be considered as of very great weight or consequence either way. But he was desirous to state in a few words the reasons why he thought it his duty to vote for the second reading of the present Bill, notwithstanding he had given his vote against the second reading of the former Bill. Their Lordships might recollect, that it was not till after much hesitation, and the most anxious and doubtful consideration, that he had at last come to the conclusion, that it was then his duty to vote against the second reading of the former Bill. But although he had come to a different resolution with regard to the present Bill, he wished at the same time to state, that he still retained his former sentiments, and did not retract any of his former opinions on the subject. But there were differences in the present Bill, which, all things considered, induced him to think that it was expedient to send the present Bill into a Committee. Their Lordships, therefore, would not be surprised, that, having come to the resolution of voting for the second reading of the present Bill, after having voted against the second reading of the former bill, that he took this very early opportunity of adverting to his former opinions. He would vote for the second reading of the present Bill, in order to see whether such additional alterations might not be made in it in the Committee as would enable him finally to vote for its passing into a law. He would endeavour to propose such amendments, or would support them if proposed by others. But if, after all, he should find it impossible to introduce such amendments as in his opinion would render the Bill one which ought to pass into a law, he should still have an opportunity of opposing it. The delay had been of some advantage even to those who introduced the measure, for by the failure of the former Bill, more ample time and opportunity for consideration had been afforded them, and they had seen the expediency of making some very material alterations, which were great improvements, in the present Bill. There were difficulties in the case with which they had been before compelled to struggle, and there was still great room for amendment. It would be the duty of their Lordships to attempt to get the proper amendments adopted in the Committee. Although they should vote for the second reading, they would not be bound to vote for the passing of the Bill, in case it should still continue to be a bill which ought not to pass. If, after all the amendments had been introduced which could be introduced, any of their Lordships should conscientiously believe that the Bill ought not to pass, they would still have the power to vote for its rejection, and it would be their duty to exert that power, and he for one would not scruple to exercise his right. If anything were proposed by the other branch of the Legislature, which their Lordships thought wrong, it was their duty to oppose it. Reconsideration, and time for investigation, would generally, as in this instance, produce amendment. The alterations which had been made in the principles, and even in the details, were by no means immaterial. By the rejection, therefore, of the Bill of last year, the Parliament had been spared the regret it would have felt, and in which the framers of the measure would have participated, had it committed some acts of injustice. Upon minute investigation of the state and condition of several places, as to population, wealth, and other circumstances, many of the enactments of the former Bill, it turned out, were bad, even on the principles of those who promoted the measure. He had opposed the Bill of last year also, in the hopes that the arguments which had been used against the measure, and the additional time which would be allowed for consideration, would have had the effect of producing a very important change in the general sentiments of the community; but he was compelled to confess that he had been disappointed, and that no such change had taken place. In the public feeling and sentiments generally, whether right or wrong, no material change had manifested itself, as far as he could observe. He thought that the feeling was wrong; but the opinion did certainly appear to him to exist generally in the community that a change in the state of the Representation was called for. Still he did not believe that the general wish for Reform extended beyond the leading principles of the Bill, and, therefore, he still thought that considerable alterations might advantageously be made in the details. At least they had the satisfaction to know that considerable changes had already been made in the measure as now submitted to their consideration. He, and those who concurred with him, objected to the whole Bill; but still they thought it better to make some concession to public opinion, and to the declared sense of a large majority of the other House, than to risk the consequences that might result from a continued and decided opposition to Reform. Many influential persons were of that opinion, and to that degree of compromise at least matters had been brought by the opportunity afforded for reconsideration. He hoped, therefore, that their Lordships, forgetting all that irritation and angry feeling that might have passed here and elsewhere, would apply their minds to the consideration of the essential principles of the Bill, with a view to render it such as ought to satisfy the reasonable wishes of the country, to expunge that which was too democratical, and to prescribe limits to that which might be considered unlimited—to save some essential points from wreck, and, in fine, to form this into a measure which might be passed into a law without a total destruction of the Constitution. He would not at present enter at greater length into the discussion of the subject, his only object being to state in a few words the grounds on which he—although he had voted against the second reading of the Bill of last year—had felt himself compelled to come to the resolution of voting in favour of the second reading of the present Bill.

Earl *Grey* said, if any other noble Lords wished to address their Lordships at present on this subject, he was anxious to hear their opinions; and having heard them, he might think it proper to trouble their Lordships with a few words; and he did not think it would be necessary for him to say more than a few words on this occasion.

Lord *Wharncliffe* rose to state to their Lordships that he also intended to vote for the second reading of the Bill. He would not at that time enter into a minute statement of the reasons which induced him to adopt that course. This was not the proper time for discussion, but when the proper time came, he would distinctly and candidly mention the grounds on which he acted. In the mean time he thought it sufficient to say that he would not again refuse to give a second reading to a bill which had been sent up by so large a majority of the House of Commons. This he even now distinctly stated, that he might not appear, contrary to his intention, to practise any deception on their Lordships or on the country. His opinion, however, was, that the Bill ought not to pass into a law without very considerable amendment: but he would vote for the second reading in the hope that the Bill might be brought into such a shape as to render it fitting to pass it into a law, that the question might at last be settled. But he repeated his opinion, that the Bill as it stood at present, ought not to pass into a law. It ought not to pass without considerable alteration. The principles on which it was proposed to construct this measure of Reform, were stated in the preamble of the Bill, and if the details in anything went beyond the principles stated in the preamble, it would be their Lordships duty to reject these details. He thought it the duty of their Lordships to allow the Bill to go into the Committee, in order to see whether such a compromise might not be made as might render it, under all the circumstances, advisable to pass the Bill. If this should be refused, then their Lordships might reject the Bill. At the same time, he thought it right to state, that he would go into the Committee fairly and candidly; for it would be unfair, and even absurd, to go into the Committee for the purpose of completely mutilating the Bill, and destroying its essential principles. His object would be to go into the Committee candidly and fairly, not for the purpose of mutilation and destruction, but with a sincere desire to have the Bill put in such a state as to render it safe to pass it into a law. He, and those who concurred with him, certainly had serious objections to Reform in the Representation; but he was compelled to admit that in this they were not supported by any considerable party in the country; and, under these circumstances, he thought it his duty to vote for the second reading of this Bill, with a fair and candid disposition to render it such as might be passed with safety.

The Bishop of *London* observed, that he, also, was anxious to take this opportunity of saying a few words. He intended to vote in favour of the second reading of the Bill. When the second reading of the former Bill was moved, he had not, from domestic occurrences, been able to attend in his place; but if he had been present at that time, he should, most probably, have voted for the second reading of the Bill. He certainly had felt inclined to do so, not that he entirely approved of the Bill, but that he thought it would be attended with less mischief to read the Bill a second time, than to refuse it. He had certainly strong objections to some parts of that Bill, and his objections were not altogether removed by the alterations in the present Bill. But, at the same time, he was willing to admit that the measure had been relieved from some of the objections which he had felt to the former Bill, although not from all. Having been inclined to vote for the second reading of the former Bill, he was still more disposed to vote for the second reading of the present Bill, and he hoped that it would be so amended in the Committee as to render it safe to pass it into a law. At the same time, he thought it but fair and candid to declare, that he would not support any amendment which would go to alter the Bill so as to mutilate or destroy its essential principles, and by that means bring it into such a state that the other House of Parliament would refuse to agree to it. He stated this much in order to correct certain misrepresentations which had gone abroad in regard to his conduct.

The Earl of *Carnarvon* said, he had never objected to Reform altogether, but with regard to this Bill, he saw no probability that it could be made in the Committee such a Bill as it would be proper to pass into a law. If he saw any hopes that the Bill could be made such a one as ought to pass, he should be disposed to vote for the second reading, in deference to the opinion of the House of Commons. But, in his opinion, if their Lordships voted for the second reading of this Bill, they would get themselves involved in a labyrinth from which it would be impossible for them to extricate themselves; and they would be adding their own perplexity to all the perplexities into which those had been plunged who had been concerned in the framing and promoting of this Bill. He objected to the principle of the measure; and notwithstanding what he had heard about differences and alterations, he could see no such alteration as to induce him to support the present Bill. He did not think it worth while to say a word as to the supposed improvements in the present Bill, for there was not one of them that might not have been introduced in a Committee on the former Bill which had come under their Lordships' consideration in the course of the last year. He, therefore, would vote against the second reading of the present Bill, on the same grounds that he had voted against the second reading of the Bill of last year. He considered the principle of both Bills to be the same; and, in his opinion, they ought to meet with the same fate. As their Lordships had refused a second reading to the Bill of last year, they ought, in his opinion, for the same reasons, to vote against the second reading of the present; and as some noble Lords had stated that they thought otherwise, he said this much lest it should be supposed that he had any intention to follow their example. He would pursue a straight-forward course, such as he considered most compatible with the dignity and character of the House.

Earl *Grey* did not think it necessary, in the present stage of the proceedings on this Bill, to trouble their Lordships with more than a very few words. The speech of the noble Earl who had just sat down had not disappointed him. That noble Earl had said, that he would pursue a straight-forward course, to which he did not object, nor did he suspect that the noble Earl would pursue any other; but he hoped the noble Earl would reconsider the subject, and adopt that line of conduct which was really most calculated to uphold the public interests, and to preserve the character and the dignity of the House in unison with the public sentiments. He did not mean to take up their Lordships' time by irregularly adverting to matters that had passed, nor would he enter upon any exposition of the particulars in which the present Bill was different from the last. But the noble Earl who spoke first had truly stated that, in some particulars, the present Bill was different from the last. Additional time had been allowed for consideration on both sides; and the noble Earl had stated, that although the alterations which had been made were not altogether such as he wished for and expected, yet, that under the present circumstances he would not incur the awful responsibility of refusing to allow the Bill to go into a Committee. He thought that the grounds on which the noble Earl rested that determination were most satisfactory. In the first place, the alterations were neither few nor immaterial; and he was not ashamed to confess, that in the interval of time which had elapsed between the rejection of the former Bill, and the introduction of the present, he, and those who acted with him, had been most anxious to obviate all such objections made to the former Bill, as could be obviated without a sacrifice of the principle and the efficiency of the measure. The noble Earl said, that population formed the foundation of the Representation in the former Bill, and that that principle had been abandoned in the present Bill. He did not wish to refer to former transactions and to former debates, but, at the same time, he felt himself called upon to say, that he had before stated that the best foundation was not merely the amount of population, but the amount of population combined with wealth and relative importance; and such they had endeavoured to make the foundation of the Representation in the former Bill. They had, moreover, availed themselves of the opportunity for re-consideration with a view to obviate all reasonable objections; and he was most happy if they had succeeded, without injuring the efficiency of the Bill, in making the principles on which it was founded, more satisfactory. The noble Earl had said, that he had other objections to the Bill besides those which he had mentioned, and these it would be fitting to consider when the proper time for discussion came. But he repeated, that the Ministers had been anxious to obviate objections in which there was any force, and which could be obviated without a sacrifice of the principle and the efficiency of the measure; and he was glad that, to a certain extent, at least, they had succeeded. He hailed with unfeigned satisfaction, the approaching symptoms of a more general agreement upon this subject, and he hoped that a measure of Reform would at length be passed, which would at once be efficient for its purpose, calculated to relieve the public anxiety, and prove satisfactory to the largest and best portion of the community, whose decided opinions in favour of the necessity of Reform, and of the utility of the plan had in no degree changed. He hoped that the proceedings in that House would not be of a character to produce general dissatisfaction and irritation, and to bring the country into greater dangers than any in which it was at present involved, or with which it was threatened. It gave him great satisfaction to hear the declarations of the noble Earl who spoke first, and of the noble Baron who followed him, and more particularly did it give him great satisfaction to hear the declaration of the right rev. Prelate, both as to his determination to vote for the second reading of the Bill, and as to the views with which he would go into the Committee. It was with the greatest and most sincere satisfaction that he heard the right rev. Prelate declare that he would not in the Committee agree to any amendment that would go to mutilate the Bill, or to disturb the general principles on which it was founded. If they went into the Committee in that spirit, he would consider any alterations which their Lordships might propose, with a most sincere and anxious desire to obviate their objections, and to do everything for their satisfaction that could, by possibility, be done consistently with the preservation of the essential principles and efficiency of the Bill. He said the same thing to all the noble Lords who might be disposed to go into the Committee in the same spirit. He was apprehensive that there might, in the Committee, be more difference between them than he would wish to exist. But if their Lordships should decide in favour of a second reading of the measure, it might go far to bring the supporters of the Bill into an agreement as to details: and he trusted that they would not stop short until they had at length effectually settled the question. In the mean time, he had only to repeat that, although he was apprehensive that some alterations might be proposed to which he could not accede, he would most assuredly give all due consideration to every proposition which might be made, in the true spirit of conciliation. In addition, he would only advert to one misrepresentation of what he had said when the former Bill was under discussion. It had been represented in some quarter that he had said that he would acquiesce in no alteration of the Bill. He had said no such thing, nor had he ever any intention to adopt such a course. What he had said was, that he would agree to no alterations that should be destructive of the essential principle and efficiency of the Bill. As to any other alterations, it had always been his intention (and he had always declared it to be his intention) that they should be fairly and candidly considered and discussed, and that the fullest opportunity should be given to every noble Lord to state his objections in the most ample manner. That was what he had said before, and that was what he said on the present occasion. Some alterations might be proposed to which he might find himself compelled to object in the strongest manner; but to every reasonable objection he would give the most favourable attention, and would be most happy to adopt any real improvements that might be suggested. More he need not say at present. He hoped that the measure would be such as would be becoming the character and dignity of this House, and such as would have the most desirable effect of satisfying and pacifying the country. As to what blame might have been incurred, or what praise had been deserved, for the introduction of this measure into Parliament, much had been said, and much had been answered. All he would say was, that having been from the commencement of his political life a friend to Reform, he had only become more and more convinced of the necessity for it; and that the subject had been pressed on him in a manner which he could not resist. It was under that impression that he had brought forward the present arrangement; and these were the reasons and motives by which he had been actuated. He had long been convinced of the necessity for some such measure; and so he still remained, and he would be most happy if this House should at last come to a cool and temperate consideration of the subject, and agree to a measure calculated to give general satisfaction to the community. He hoped their Lordships would at last come to a decision favourable to the measure, and pass a Bill into a law that would give strength and vigour to the Government, and peace and security to the country, both at home and abroad.

The Duke of *Wellington* thought himself, after what had passed, called upon to say a few words, although this was not the best stage for the discussion of the question, and was, indeed, a stage in which it would be best to avoid discussion. But one noble friend of his had thought proper, in this stage of the Bill, to state the grounds on which he would support the second reading, and he had been followed in that course by another noble friend of his; and under these circumstances, he hoped their Lordships would permit him to make a few observations, with a view of stating why he could not follow the example of his noble friends, and in order to set himself and his own opinions right with the House. The noble Earl (the Earl of Harrowby) had stated the reasons which induced him to depart from the course which he had adopted with respect to the former Bill, and had adverted to various differences which existed between that Bill and the present. But then the noble Earl at the head of his Majesty's Government, insisted that although some alterations had been made and changes introduced, yet the Bill was really and truly, and in principle, exactly the same measure as that which had been brought up to this House last year, and to which their Lordships had refused to give a second reading. That was really the point in the case, and it was the point which their Lordships had now to consider. The question was not whether some minor alterations had been introduced into the present Bill, or whether it differed in some minor points from the former Bill. The question was, whether the Bill, in its present state, was such as could afford any reasonable prospect that, after having passed the second reading and the other stages, it would be a measure compatible with the existence of a practicable scheme of Government for this or any other country? The question was, whether the measure was compatible with the conducting the Government in any way; and whether, if it was compatible with any regular Government at all, it would not render the conduct and course of the Government necessarily most pernicious? The principle of this Bill was not Reform; it was disfranchisement, enfranchisement, the placing the right of voting on a different footing, changing the foundation of the Representation, and, when accompanied, as it would be, with other Bills, producing a complete revolution. The Bill for Scotland proceeded upon a total and complete revolution of the state of the Representation in that country; and the Bill for Ireland proceeded upon a complete alteration of the principles which Parliament had sanctioned three years ago. This was what their Lordships had now to consider. His own opinions in regard to Reform were precisely what they had been before, but the question now stood on a different footing, and their Lordships were placed in a somewhat different position. Whatever might be his notions of what could be conceded in favour of Reform, he saw no hope at all that the present Bill could be made such a measure as could be to any good purpose adopted. As for himself, he was actuated by no party motives. He had no party purposes to serve, and there could be no one who had less occasion for party support, or parliamentary interest. He had the same interest in the subject at present under consideration as others had; and that was an interest that a wise, good, and practicable system of Government should exist in the country. The noble Earl who spoke first, and the noble Baron who followed him, had fairly explained the course which they proposed to adopt. He differed from them. What his opinion was in regard to this Bill would be made manifest when they came to the proper stage for discussion, which was on the motion for the second reading. If, however, their Lordships should decide to go into Committee on the Bill, they ought always to look to the introduction of such improvements as should place the state of the Representation on a proper footing, as it was upon the state of the Representation that all good government must ultimately depend.

Bill to be printed, and the second reading fixed for Thursday, the 5th of April.

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HOUSE OF COMMONS,

Monday, *March* 26, 1832.

MINUTES.] Bill brought in. By Sir JAMES GRAHAM, the Marine Mutiny.

Returns ordered. On the Motion of Sir HENRY PARNELL, of the Money Voted and Expended on the London and Holyhead Road, the Tolls charged thereon, and the Sums Expended for the Construction and Maintenance of Howth Harbour:—On the Motion of Mr. TREVOR, of the Exports of British Manufactures and Produce, of and Imports of Foreign Produce, and of the Exports and Colonial and Foreign Produce, and of the Exports and Imports of Ireland, for two years ending the 5th January, 1832.

Petitions presented. By Mr. FOLEY, from the Silk Throwsters of Blockley, and of the Inhabitants of Foleshill, complaining of the Distressed State of the Silk Trade, and praying for Relief:—By Mr. HEYWOOD, from the Silk Manufacturers and Trustees of Manchester, against any alteration in the Laws relating to the Silk Trade:—By Lord COLE, from the Presbyterian Congregation of Newry, against the proposed Plan of Education for Ireland:—By Mr. FITZROY, from the Inhabitants of Bury St. Edmond's, in favour of the Factories Regulation Bill:—By Mr. HEYWOOD, from the Operatives employed in certain Cotton Mills at Hyde, Compstall, and Herneth, and from the Inhabitants of the Township of Crompton, against the Bill.

FOREIGN POLICY.] Sir *James Graham* moved the reading of the Order of the Day for going into a Committee of Supply.

Lord *Eliot* rose, having intimated on a former evening his intention of making some observations on the foreign policy of the present Ministry, for that purpose. He felt that he owed a humble apology to the House for putting himself forward on such an occasion; but he did it with the hope of eliciting the remarks of older and more experienced Members; and should he succeed in that, his object would be attained. In looking at the political horizon, and beholding the darkness which reigned around, it certainly was difficult to say where the storm would first burst; but that the result must be war, was, in his opinion, but too evident, whether the clash of arms was first heard in Holland, in Italy, or in Portugal. With respect to Holland, he thought that no reasonable man could doubt that that country would resist a portion of the treaty to which this country was a party; for those who knew the firm and uncompromising character of the inhabitants of that country, and the pitch of enthusiasm to which they had of late been wound up, were well able to judge of the sacrifices they would be prepared to make, sooner than yield one iota of that position which they imagined they had a just right to maintain; and in particular it was well known that they would never submit to grant a free navigation of the internal waters of their country—a point that in the treaty was uncompromisingly insisted upon, but which, as he believed, would never be carried into effect till an English fleet had possession of the Scheldt, and every Dutch gun-boat was blown into atoms. The condition, therefore, in which the noble Lord (Viscount Palmerston) had placed this country was such, that either the pledges of England must be violated, or we must be involved in an unjust war with an ancient and faithful ally. He must, likewise, be permitted to observe, that the noble Lord, on a previous evening, had, when speaking on the question of the Dutch debt, treated the obligation of a guarantee very lightly; and had drawn a somewhat strong distinction between a guarantee and a surety. Now he was ready to concede to the noble Lord that a surety could be called on to fulfil that for which he had rendered himself liable; but he had yet to learn that a guarantee was not bound to do all in his power to secure the performance of that which he had guaranteed, even to the extent of resorting to force for the purpose of accomplishing that object. He was quite aware that it had been said in former days that a guarantee was like fillagree work; but, certainly, the course pursued by the noble Lord—that of proclaiming beforehand the inefficiency of the security of a guarantee—had something very novel in it. He would not, however, pursue this topic any further, as it was vested in much more able hands than his; and when the proper time should arrive, he had no doubt the hon. member for Okehampton (Sir Richard Vyvyan) would do ample justice to the question. To turn the attention of the House to another subject, he would ask—Was the prospect of affairs in the Peninsula more cheering? How did the case stand there? An expedition had been fitted out in this country, and had sailed to attack Portugal from these shores, not only in violation of our own declared neutrality, but contrary to the whole spirit of international laws. That expedition, too, was commanded by British officers, for, in addition to Captain Sartorious, he was credibly informed that other British officers were acting in that expedition under assumed names. That expedition, too, was manned by British seamen; and to convey still further the idea that England was taking part in the quarrel, they had descended to the artifice of dressing the marines in the British uniform. He was of course quite aware that this country had no reason to apprehend a declaration of war from Portugal; for, thanks to its weakness, it had no means for such an attempt; but then, on the other hand, he would ask whether it was just or fair that advantage should be taken of its weakness, to prescribe conditions to that country, which, under any other circumstances, would never have been ventured on? Did any one believe for a moment, that a powerful State would not have resisted the treatment which Portugal had received at the hands of this country—a treatment in which the most rigid execution of treaties had been exacted from Portugal, while we, on our part, had neglected the performance of that reciprocal share of duty which was required by the terms of those very treaties? The policy of the present Government with respect to Portugal appeared to be, that when an injury was to be redressed, there was an instant promptness to act; but when protection was to be afforded, a deaf ear was turned to all supplication; so that the present Government of that country might be said to exist in a double capacity—it was legitimate enough for our purposes, but quite unrecognizable for its own. But though it was true that Portugal was in no condition to go to war with England, was not Spain equally interested in that question which was so vital to the present Government of Portugal? Was it not notorious that a part of the plan of the threatened invasion of Portugal was to hurl the Spanish royal family from the throne, and to place the crown on the head of Don Pedro? That, he believed, was a fact which could not be denied; and though Spain had a proverb in favour of a peace with England, yet, when it became a question of life and right, the Spanish Government would be forced to change its present pacific intentions, and appear in the field against the unjustifiable attack that was threatened. After mentioning these countries, he was naturally brought to turn his attention to France. That France was highly-gifted by nature, he was not disposed to deny; nor did he regret to see that country occupy its proper position among the nations of Europe. But the question, in his mind, was, whether our station was not falling in proportion as that of France was rising; and whether, instead of being looked up to by the whole of Europe as the protectors of the weak, we were not beginning to be regarded in the light of oppressors, whether instead of the old maxim of "parcere subjectis," we were not reversing it, and acting upon that of "parcere superbis." As to the intentions of the French government upon these matters, the speech of M. Perier, as it lately appeared in the French papers, was so complete a manifesto on that head, that it would only be necessary for him to refer to that, in order to make out the whole of his argument to the full. From that speech, and from the language of the French king himself, in the course of the last year, it was quite evident that the destruction of the Belgian fortresses was regarded as an additional advantage on the side of France. And yet what was the explanation of the noble Lord upon this subject? He contended that those fortresses were only to be destroyed in consequence of the diminished resources of Belgium; arguing, as it appeared to him, in direct contravention of the admissions of the French king, and of the French ministry. Besides which, it was not a little remarkable, that the whole of the fortresses to be destroyed lay upon the French frontier; while not one of those that are on the side of Holland or of Prussia, were condemned to the same fate. And yet would any one pretend to say he believed that this arose from the French entertaining any real dread of danger on the side of Belgium? No; the idea was too ridiculous even for a supporter of the present Government to urge. A great deal had been said about French moderation and French love of peace: but in answer to that, he would ask whether any proof of that love of peace and moderation was to be traced in the manner in which they so hastily sent an expedition into Belgium, without even so much as applying for the consent of the noble Lord? It was impossible, too, for him to overlook the manner in which the French claim on Portugal had been carried into effect? No mediation, no negotiation, had taken place; but the demand had been made at the cannon's mouth, and such sums, by way of compensation, had been levied as in the arbitrary will of the superior appeared sufficient to indemnify the expense that had been incurred. But passing by Portugal and going on to Italy, what was he to say of the conduct of the French government there? In his opinion, never had there been committed a more flagrant violation of the international laws than those transactions which had taken place in consequence of the French troops landing at Ancona. What was the real outline of the case? The present Government had thought it right to call in its nearest neighbour—the Austrian government—to assist it in quelling the disturbances which had taken place; upon this France, uncalled for, and without even the pretext of being a neighbour to the spot, interfered by force of arms, and actually took and retained possession of a town belonging to that friendly power, nay, even more, had placed her tri-coloured flag on the walls of Ancona—a course which he believed had not been pursued by Russia even in the case of conquered Varna. It was said, however, that this was owing to a mistake of the commandant of the expedition; and, as a proof of this assertion, it was urged that he had been recalled, and was to be tried by a Court Martial. Now it was preposterous to suppose that the French officer had received orders to sail to Ancona, and to return from it immediately, in case he was refused landing. He could never believe that such had been the fact. The protest of the Pope was, in fact, a proof that it was not so. On hearing of the landing of the French at Ancona, the Pope sent a protest against it to the French ambassador at Rome, M. de St. Aulaire, to whom, some time previously, the papal minister had addressed a note, which was also transmitted to the other powers stating, that he regretted that the amelioration of the laws of the legations had not been met by the inhabitants of them in a better spirit—that they were then engaged in open insurrection—that the papal government was determined to put it down by force, but that it intended, on the suppression of the rebellion, to treat the rebels with great clemency. The reply of the French minister to this note, was couched in very mild and amicable terms, and after that declaration, it must have been a great surprise to the papal government to find Ancona possessed by the French troops, and the tri-colour flag floating on its walls. Referring to this subject, M. Perier said,—"Like our expedition to Belgium, our expedition to Ancona, conceived in the interests of general peace, as well as in the political interests of France, has for its object the giving new activity to negotiations in which all the powers have concurred, with the view of placing upon a firm basis at once the security of the pontifical government, and the tranquillity of the population by means both efficacious and durable." So much, then, for the moderation and disinterestedness displayed by France in her aggression upon Ancona. From the language which the noble Lord had recently used with respect to the moderation of France, one might almost suppose that, he believed she had changed her national character as well as her national cockade, and that the love of glory disappeared as a matter of course, as soon as Louis Phillippe occupied the throne. But on that point he would call M. Perier into court as a witness against the noble Lord. M. Perier said, "The Government has done all in its power to multiply the military resources of the country, and to enable France to act, should her interests require it, not only on the defensive, but also on the offensive." Was this a proof of the pacific character and intentions of the French cabinet? But M. Perier proceeded—"France is sensible of her force as well as of her dignity, and in treating with good faith never forgets, nor allows others to forget, that she negociates with her hand on the hilt of her sword." Did he blame M. Perier for using such language? Certainly not: as a French minister, such language was natural, if not becoming, to him: all he meant to contend was, that it did not bear the interpretation which the noble Lord had put upon the whole of that speech on a former evening, and to caution the Ministry how they rushed blindfold into the arms of France, who had peculiar interests of her own to take care of. But this was not all. He would take the liberty of asking the noble Lord whether his time was so much taken up with the duties of his office, as to prevent his reading the speeches or rather the compositions of those Members who formed what was called the movement party in the French chambers of Deputies? Let me also ask, whether the noble Lord is so sure of the present French ministers tenure of office, that he thinks it not worth his while to attend to the opinions of the French opposition party? He could tell the noble Lord that that tenure was by no means certain: the French government had much unpopularity to contend with, and they had no Reform Bill to keep them in office. Any one who read the debates in the French chamber could not but see how deep a hatred for England existed there, in spite of the tone of cajolery that was assumed for the purpose of concealing the rancour that was lying beneath. Lafayette, Mauguin, and others of the same party, were incessant in recommending the French government to assume a high and haughty tone towards other countries; and the former, in particular, had appealed to Marshal Gerard to tell the chamber whether he did not think that France would have done more good by holding Belgium for a few months than by all the protocols to which she had agreed? In answer to which appeal Marshal Gerard had responded by a sign of assent. He had thus endeavoured to take a brief and succinct view of the affairs on the continent as connected with the foreign policy of this country; and if he should succeed in eliciting from the noble Lord any information at the present momentous crisis—at a period, too, when he thought the House of Commons had a right to demand a little more information than was afforded by the Government—he should not regret having taken the present course, however bold and improper it might be in him to set himself forward in so important and difficult a question.

Viscount *Palmerston* was aware, that it was competent for any hon. Member to make remarks, however voluminous, and ask questions, however ill-timed, on any subject which his fancy might select, whenever the Motion was made for the Speaker's leaving the Chair to allow the House to go into a Committee of Supply. He, therefore, did not deny the right, though he might question the discretion, of the noble Lord, in making the rambling and disconnected speech which he had just delivered to the House. In his excursive progress through the different countries of the world, the noble Lord had cautiously abstained from asking any particular question to which a definite answer might be given. It was, therefore, difficult for him to give a reply to remarks whose meaning almost escaped his grasp, though he presumed the noble Lord and the House expected him to make a reply to the observations by which those questions were accompanied. As far as he could comprehend it, the main object of the noble Lord was to show, first, that we had no solid grounds of assurance for the maintenance of peace; and, next, that the Government was placing undue reliance on the pacific intentions of France. With regard to the first point, the noble Lord had said, that he considered that, out of some or other of the transactions now pending in Europe, war would arise, and that, too, at no distant period. In reply to that opinion, he would only ask the House to look at the situation in which Europe was when the present Administration first succeeded to office, to compare that situation with the situation in which it now was, and then to decide whether we were not better entitled to reckon upon the permanence of peace at present than we were at that period. At that time there was scarcely a man in the country who could assert that he expected the peace would continue unbroken for three months. The present Administration, on its accession to office, said, that one of its main objects was, the preservation of the peace of Europe. Fifteen months had elapsed since that time, and whatever dispute there might be regarding their anticipations of the future, no dispute could arise respecting what had occurred during the past; and, beyond all question, they had, contrary to expectations, preserved peace for fifteen months. When, therefore, he said, that he did not share in the doleful anticipations of the noble Lord—when, he said that he felt confident hopes, and well-grounded expectations, that all the present negotiations would be arranged without any violation of the peace—he thought he might appeal to the period that was past as a proof that he was not speaking without good grounds as to what might be expected to happen in future. As to the points connected with Belgium, into which the noble Lord had entered, he did not know whether he could follow the noble Lord with propriety at present, inasmuch as he should have to enter at large into their details to-morrow evening, on the Motion of which the hon. member for Oakhampton had given notice. He would therefore, confine himself to saying, that the noble Lord had misunderstood his explanation of the term "guarantee," if he supposed that, in using it, he intended to lay a ground for the future evasion of our engagements. The question which, on that occasion, was put to him was, whether, by our guarantee, we took on ourselves the pecuniary obligation of making good these payments, in case the Belgian government was either unable or unwilling to perform its contract. In answer to that, he said, that a guarantee was not a security; and that though the force of a guarantee required that he who gave the guarantee should use all means in his power to obtain the fulfilment of the prescribed conditions, it did not go to the extent of requiring that he should, on the defalcation of the other party, himself perform the conditions. It did not, however, by any means follow, that this country was not bound to exert all its endeavours to procure the execution of the articles it had guaranteed. The noble Lord seemed to think that the engagements into which we had entered were such as we could not perform. He did not intend to go through a contest of speculations with the noble Lord, and, therefore, all he would say upon that point was, that the treaties which we had made were binding upon us, and that, if we could, we must perform the terms of our compact.

He saw little chance of war between the two countries, arising from the clause which stipulated for a free navigation of the waters of Holland by the subjects of Belgium. The navigation of the Rhine and Scheldt were both declared free by the Congress of Vienna, and the only question between Holland and Belgium upon this point was, whether the Belgians should have free navigation upon the canal which joined these two rivers, between Beveland and Schonen. The noble Lord had afterwards quoted a sentence or two from the speech of M. Perier, for what purpose he was at a loss to discover. The noble Lord then proceeded to observe that, pursuing our system of oppression towards the weak, and of trembling and truckling towards the strong, we had given good ground of war to Portugal, for we had exacted from Portugal all the benefits which we could claim by treaty, and had denied to her all the protection to which she was entitled in return. He did not feel that this charge affected exclusively the present Government, for it had only trod in the steps of its predecessors. That there was just cause of war between the two countries he admitted, but it had been given to England by Portugal not once or twice, but fifty times in the last four years. He denied, however, that we had ever, during that time, given to Portugal the slightest justification for war against us. It was to the honour and advantage of the late Government that it had not adopted against Portugal all the measures of severity to which it was entitled to resort. The forbearance of the late Government, carried, in his opinion, to a blameable excess towards the government of Don Miguel, could only have been exercised by us to a weak government. Had the government of Portugal been a strong government, the popular indignation would have been so highly excited by its misconduct, that no Minister would have been able to withstand the cry for war. The noble Lord said, that we had not fulfilled our engagements to Portugal; but the noble Lord had not shown a single case in which we had failed in the execution of them. Did the noble Lord mean to contend that any treaty between this country and Portugal entitled Portugal to call upon us to assist her in putting down a civil war? Could the noble Lord venture to affirm that there was any treaty between England and Portugal which entitled Portugal to call upon us for assistance, except against a foreign invader? If the question were the invasion of Portugal by Spain, for the purposes of conquest, then he should say —no matter whether we acknowledged Don Miguel or not—no matter whether he was the legitimate owner of the crown of Portugal, or only a base and profligate usurper of it—we should be bound to protect Portugal as a state, against the invasion of Spain. That event, however, had not yet occurred. But the noble Lord said, there were English officers serving in Don Pedro's expedition. With respect to Captain Sartorius, he had ceased to belong to the English navy; and although, as the noble Lord stated, there might be three or four more of our officers in that service, yet he pretty well answered his own remark, when he informed the House that they were serving under feigned names; for if that was the case, how was it possible for his Majesty's Government to ascertain whether they were British officers or not. The next part of the noble Lord's speech referred to the conduct of the French government. The first accusation against that government was, the sending a squadron to the Tagus, without demanding any previous explanations; but surely if the noble Lord would take the trouble to look through the papers on this subject, he would find that negotiations were carried on six months before satisfaction was actually obtained. His next accusation was divided into two parts—that France had sent an expedition to Belgium, and had sent an expedition to Ancona. With respect to the former, although it was rue that circumstances did not permit France to consult England before she marched her troops into Belgium, yet he had no hesitation in saying, that act had rendered essential service to the cause of peace, and was done in perfect accordance with the spirit that guided the transactions of the Conference. France had no other view by that expedition than that of securing the accomplishment of the general purposes. With respect to what had taken place at Ancona, it had already been stated, that the conduct of the French naval officer, by whom that landing was carried into execution, had been disapproved of by the French government, and that he had been recalled, for the purpose of an inquiry being instituted. As to the military officer in the command of the land forces, he was not at Ancona when the landing was effected. The noble lord had subsequently alluded to the speech of the French minister, but, he would say, that if ever there was a speech unjustly dealt with, it was that of M. Perier; for, in his opinion, it contained no sentiment at variance with the fulfilment of the present national obligations of France, nor did it exhibit any desire but that of maintaining the peace of Europe. As the noble Lord had chosen to quote one passage of that speech, he trusted that the House would permit him to read another, for it was hardly fair to catch, as the noble Lord had done, at single sentences in a long and complicated address. The noble Lord had remarked upon the supposed love of the French nation for conquest and glory; but what did M. Perier say on that point? "Glory is the only nationality of an absolute government; and, indeed, it is necessary that there should be some such compensation for despotism: free governments, however, seek their legitimacy in the laws; and the blessings of peace are the trophies of liberty." It was scarcely possible to disclaim in stronger language than this all that seeking after military glory which so strongly characterized the reign of Napoleon. But, as if M. Perier had not said sufficient there, in another place he remarked, "The object of the revolution was the charter, and not conquest." But the noble Lord said, that though he might be disposed to put faith in the French government, yet there was another party in France which he regarded with suspicion, because it was not animated by the same pacific sentiments. Now, it really appeared to him as unfair to judge of the French ministry from the violent speeches of the movement party in the French Chambers, whose avowed object it was, to embroil M. Perier, and to disturb the peace and amity now subsisting in Europe, as it would to judge of the intentions of the Government of which he formed a part from the speeches of those hon. Members opposed to them. It had been said, that, in the treaties respecting commercial reciprocity, the advantages were all on the side of France. He thought far otherwise; and he believed that this country was, on the whole, a gainer by the adoption of a more liberal commercial policy. He must also deny, that the honour of England had been compromised by the foreign policy of the present Administration. There never was a period when England was more respected than at present in her foreign relations, in consequence of her good faith, moderation, and firmness. It was only necessary for him to add, in allusion to the charge made against the Government of England, of having drawn too closely the cords of a strict alliance with France, which had no reciprocity of advantage for England—that the interest of England was the maintenance of general peace throughout Europe, and this object was, in the mind of his Majesty's Government, most easily, most safely, and most securely to be attained, by the maintenance of a firm and strict alliance between France and this country. He had thought it necessary to trouble the House with these observations in reply to the noble Lord, inasmuch as he was especially responsible in the matters referred to by the noble Lord.

Sir *Richard Vyvyan* said, his noble friend complained in the outset of his speech that the noble Lord (Eliot) took too discursive a range over almost every part of Europe. His noble friend should recollect that since he got into his present situation there was hardly a part of Europe in which some important event had not occurred, and that therefore, his other noble friend was justified in the course he pursued. Indeed, he could not otherwise bring the subject he proposed to himself fully before the House. The noble Lord had drawn a comparison between his own conduct and that of his predecessor, and taken merit to himself for having preserved peace for fifteen months. He said that France evinced no disposition to aggression, or to do anything to compromise the peace of Europe. Now, he would ask his noble friend where were the proofs of this? Was not Algiers retained contrary to the spirit of the understanding with this country and the other powers of Europe? Was not Lisbon attacked by a French naval force, and the Portuguese fleet brought away from the Tagus, and carried as prizes into France? Were not the fortresses of the Netherlands given up at the desire of France for the purpose of being demolished? Was not Ancona attacked and taken by a French force against the wishes of the Pope, and to the surprise of all Europe? Was not Belgium invaded by a French army, to the surprise of the noble Lord and the Conference? No wonder that the peace of Europe was maintained when every thing that France wished was thus conceded to her without opposition. He wished to make a few observations with respect to the treaty about Belgium, as he felt he should not be justified in bringing that subject forward to-morrow. It appeared that speeches had been recently made in the Lower Chamber of Belgium which reached town that day. From the speech of one of the ministers it would appear that this country was considered by the Belgian government as bound to oblige Holland to adopt in all its parts the treaty of the twenty-four articles. Was he to understand that it was now laid down, as a general principle to be acted upon at all times to come, that, when any two or more of the great Powers of Europe agreed to an arrangement between two minor powers, and that one of those two minor powers accepted it, the other must be forced to acquiescence, however unfair the conditions, and however unwilling she might be? From the speech of the Belgian minister to which he now referred, it would appear that the whole and every part of the twenty-four articles must be accepted by Holland, whether inclined to recognise king Leopold, and to accede to the basis of the treaty or not. His noble friend said, the only point in dispute, as to the navigation of the waters of Holland, related only to a short line of canal between the Scheldt and the Rhine, and that the free navigation of those rivers was before established by the Treaty of Vienna. He must remind his noble friend that Belgium and Holland were united when the treaty of Vienna established this freedom of navigation on the Scheldt and Rhine, and that now both countries were separated. This very materially altered the nature of the case. As regarded Portugal, his noble friend (Lord Eliot) did not complain that assistance was not afforded to Don Miguel by England against Don Pedro, but, on the contrary, that the British Government permitted Don Pedro to receive assistance here and fit out expeditions against his brother. Portugal was a country that England was bound by every consideration to protect. The two countries had been for centuries in strict alliance; their markets were always open to each other, and from their connexion the most substantial advantages had resulted to England. He lamented, therefore, that, when attacked by France, this country, even though not strictly bound by treaty, did not strain some point to rescue her ancient ally from her difficulties. Don Miguel was sovereign *de facto;* and to permit an expedition to be fitted out against him here was to aid and assist in an invasion. Who was the rightful possessor of the Portuguese throne, was not the matter in question, and should not have been suffered to influence our conduct to our ancient ally. The noble Lord had not noticed what fell from his noble friend about Algiers. When France sent an expedition to Algiers it was with the understanding that the future settlement of that place should be arranged with the consent of the other powers of Europe. In this state the matter rested when the late Government retired from office. It remained with the present Government to say whether it would allow a place to continue in the possession of France of so much importance on the coast of Africa, and in the Mediterranean, as Algiers undoubtedly was. It might be said, that England had no more right to interfere in regard to the ports of the Mediterranean than any other power. It was, however, always considered a matter of the highest importance in the commercial policy of Great Britain to secure a preponderance in that sea which, from its central situation in Europe, must give great advantages to any nation possessing such preponderance. It remained for Ministers to say how far the possession of Algiers by France was consistent with the interests of Great Britain. At all events, if England did not possess a preponderance in the Mediterranean, she should not permit any other power to obtain it. His noble friend said, the French naval officer who commanded the expedition to Ancona was recalled, but that the general who commanded the land forces was not recalled, as he was not present upon the occasion, not having arrived there when the attack was made. He wished, however, to know from his noble friend whether the French colonel who commanded the land forces at the time, and made so violent and so unjustifiable an attack, was recalled. He was as much, if not more, to blame than the naval officers. They had already heard a great deal of the speech of the president of the council, M. Casimir Perier, the first minister of France, and his noble friend said, no speech was ever more misrepresented, as it breathed a spirit of peace, conciliation, and moderation. That distinguished person in one part of his speech spoke of France as negotiating with her hand on the hilt of the sword. He did not think the passages referred to in the speech by his noble friend as of a pacificatory character were a sufficient set-off against language of this kind, which seemed to him to breathe, as strongly as language could, the spirit of war. It would be strange indeed if any minister in that speech, which must have lasted an hour and a half, should never once have made use of the word "peace." His noble friend said, the speeches of the movement party in France were no proof that the government was disposed to war, any more than the speeches of the Opposition in this country were a proof that the present Ministers did not desire peace; and his noble friend thereby implied that the Opposition wished for war. The truth was, the Opposition were convinced that peace was for the advantage of the country. They desired, therefore, to preserve it; but they knew that the way to do so effectually was not by conceding every point to France, and offering no resistance to her aggressions. He was fully aware of the talent for negotiation possessed by his noble friend (Viscount Palmerston); but when he recollected the able and experienced man who was charged with the interests of France here, who, to all the acquirements of age and experience added all the freshness and vigour of youth, his noble friend would forgive him if he thought that distinguished person was rather an overmatch for him in negotiation, and able to cajole him or win his consent in any point he thought important to the interests of his country. The Ministers were following in the wake of France; that could not be denied. He did not blame the French minister to this Court. When he played the part of France, and his noble friend that of England in negotiation he had every right to gain the point he desired for France without recourse to arms, without the necessity of shedding blood. In the negotiations regarding Belgium it was impossible not to see that Holland was sacrificed, and that upon this point there must have been some over-ruling influence to which the Conference gave way. It mattered little whether there was only one or whether there were five despotic Powers in Europe to trample upon the rights of smaller and weaker states. They heard much of the Congress of Vienna, but it never exercised a power of dictation equal in extent to that assumed by the Conference of London. He had been long anxiously waiting for the ratification of the labours of the Conference by the five great Powers, and it was the absence of this ratification which so long prevented him from bringing forward his motion on the subject of Belgium. He thought the Government had brought themselves into serious difficulties by giving publicity to a treaty yet incomplete. It now seemed certain, that the king of Holland felt that he could not accede to that treaty, on account of what were, in reality, minor objects to the Conference. A new treaty might be made, and although such a proceeding was unusual, it would be better to annul the incomplete document on the Table, than to continue in a useless course of injustice for the sake of form. As a way was still open, he hoped the other powers would seize the opportunity that was still left them of doing justice to Holland.

Sir *Robert Peel* said, he would not have opened his lips on the present occasion, if he thought that his noble friend (Lord Palmerston's) doctrine respecting discussions on subjects of foreign policy was one which ought, upon any principle, either of expediency or custom, to be followed. The doctrine which his noble friend attempted to maintain amounted to this, that, at no time whatsoever, should there be a discussion on the foreign relations of the country, if there was a remote chance that the policy of the Government might be contravened. That such discussions should be conducted with moderation and temper he was quite ready to acknowledge; but he could not admit, that the mere act of laying before Parliament information as to the course which Ministers were adopting in regard to foreign states, must necessarily interfere with the progress of their policy. His noble friend (Lord Palmerston) had expressed his regret at the manner in which the speech of the French minister in the chamber of deputies, taking a view of the situation in which foreign powers stood in regard to his country, had been discussed and debated upon; and had even gone so far as to express an opinion that the speeches of foreign ministers were not fit subjects of notice at all. On that point, he had only to say, that, generally speaking, he did not think that the Parliament of England ought to be very severe in their remarks on the speech of the minister of a foreign country; at the same time he could not agree in thinking that all allusion to, or discussion on, such a speech was either inexpedient or impolitic. Indeed, in the present instance, the allusion to, and discussion upon, the speech of the French minister, had been attended with signal advantage, inasmuch as it gave to the noble Earl at the head of his Majesty's Government, an opportunity of setting right some false impressions which prevailed in the minds of many persons as to the policy of the English Government, with regard to the expedition against Ancona. With respect to the policy which had been observed towards Belgium, he would, at the present moment, avoid offering any opinion, inasmuch as it was a question remaining open to future and more deliberate discussion. The aspects of affairs in that quarter of Europe were indeed gloomy and ominous, but still he could not avoid entertaining a hope that peace might be preserved, and that, too, consistently with the honour of all parties. The king of Holland, he felt convinced, when he deliberately weighed the risk that would attend a rupture of the peace of Europe at that moment, would not, by asking for any concession on the part of Belgium, incompatible with its essential interests or with justice, throw obstacles in the way of an accommodation of their differences. Holland, he hoped, would bear in mind the very peculiar state in which Belgium then stood, and meet any spirit of moderation, and any spirit of concession that the government of that country might manifest by a similar spirit. And, if such was the case, there could be no doubt that a mutual understanding, compromising in no degree the character or interests of either country, might soon be brought about. On the other hand, he must express an earnest hope, that his noble friend (Lord Palmerston) would never, as a Minister of the Government of England, insist on any concession on the part of Holland that might be found incompatible with the integrity and independence of that country. He cared not whether that country was or was not of importance, either in relation to its size or its power; nay, he would say, that, as Holland was comparatively small, there was a greater and more binding obligation on the part of England to take care of her interests. It was said, that the only remaining subject for adjustment between the two parties was so trifling, being merely the right of passage on one particular canal, that it ought not to be allowed to stand in the way of an accommodation. From that position he totally and decidedly dissented. If the maintenance of the independence of either party was involved, even in the right of passage on a canal, he was distinctly of opinion neither would be justified in giving up the point, nor would any foreign power act correctly in interfering so as to compel either party to surrender it. It was not the extent of the difference, but the principle, which should be considered; and, if the principle of independence was involved, even on the most trivial point, it would be the height of injustice to interfere, in order to compel the surrender of that vital principle. Such was his opinion on the subject, and he would conclude his remarks on that part of the question which referred to the policy of his Majesty's Ministers in regard to Belgium, by offering to his noble friend his earnest advice, should he (Lord Palmerston), on consideration, think that the principle of independence had been involved in any respect during the course of his diplomacy, to retrace his steps, and, ere it be too late, absolve England from the stain of exacting from a foreign power a concession, trivial though it might be in degree, which compromised its future independence. He next came to speak of the expedition to Ancona, and on that point he was sure that his noble friend took precisely the same view which every Englishman ought to take of it. By his official situation, his noble friend was obliged to maintain some reserve in public, but he must undoubtedly be occupied in appealing to the moderation, justice, and good sense of France, to retrace her steps. When he had before spoken on this subject, he had not seen the explanation of the French minister, but now that he had seen it, he could not avoid remarking that an act not only so unjust, but so ridiculous, he had never heard of. He felt confident that the good sense and the justice of the French ministry would, without delay, not only withdraw that expedition, but, as far as possible, make atonement for that course of conduct, into which their impetuosity and neglect of calm consideration had driven them. France had, by that one act, placed herself in a state of embarrassment which, but for the forbearance of independent powers, might have materially affected her future prospects and independence; and, having escaped from her danger, she ought, without delay, to retrieve the character she had lost, by her uncalled-for infringement of an unoffending territory. He, however, repeated, that he had that degree of confidence in the good sense of the government of France which induced him to think that they would yield to the remonstrances of England, and withdraw an expedition, which was proved by the public declarations of French official agents to have been utterly unwarrantable. In a letter, addressed to the Pope, by M. St. Aulaire, the French ambassador, dated January 12, 1832, there would be found a recapitulation of certain pledges alleged to have been given by the Pope to his subjects respecting the reform of the institutions of the papal states.

The words were these:—'The government 'of France has followed with a lively in'terest, the legislative labours, which are 'referred to in the note received from the 'secretary of state this day. It has care'fully noted the edicts of the 1st and 4th 'July, by which the holy see confides to 'laymen the administration of many of 'its principal provinces: of the edict of the '5th July, which provides for various ec'clesiastical reforms; of various other 'edicts for the improvement of the adminis'tration of civil and criminal justice; of 'the edicts of 11th June and 21st Novem'ber, which establish a perfectly new sys'tem of finance, by submitting an account 'of revenue and expenditure to control and 'publicity, and placing the interest of those 'who pay taxes, as well as that of those 'who are creditors of the state, under the 'inspection of men as worthy by their in'telligence, as they are by their high func'tions.' These reform bills, as they might be termed, amounted altogether to eleven, and it was the delay in the performance of those pledges which was alleged by the French government to have caused its interference. In the first place, he would beg to impress upon the English House of Commons, which had been for fourteen months engaged in the consideration of one Reform Bill, that it would be rather hard to compel the Pope, within nearly the same period, to enact no less than eleven measures of Reform. There was, however, every reason for the belief that the pledges which the Pope had given were, at the time that the expedition was sent by France, in due course of performance. The French had no right whatever to allege the non-performance of these promises as the ground of their attack on the Papal territories. But, even supposing that such was the case, what authority, by the law of nations, had the French government for saying to the Pope —"We will compel the immediate performance of those pledges which you have given to your subjects." Who had constituted the king of France the arbiter between the Pope and his subjects? The last point to which reference had been made was one in respect to which his strongest feelings were interested, as the interests and honour of England were concerned. On numerous occasions the policy of his Majesty's Government in regard to Portugal had been discussed, both in that and the other House of Parliament; but he felt bound to say, that nothing which had taken place in either of those assemblies had induced him to alter his opinion with regard to the course which his Majesty's Ministers, since their accession to office, had pursued towards that country. The private character of Don Miguel might be bad; some of his acts, since his accession to the throne of Portugal, could not be defended; but he could not, on that account, disguise from himself the danger which would inevitably result from a departure from the customary policy of Great Britain towards a foreign power on account of the private character of its sovereign, or in deference to the particular interests of some competitor for his throne. He begged the House to consider the position in which this country was placed towards Portugal as an independent nation. He conceived they were bound to throw out of their view the private character and the conduct of the prince who occupied the throne of that nation, and to confine themselves to those peremptory obligations which the law of nations imposed upon all states. There were but two situations recognized by the law of nations in which powers could stand with relation to each other, they might be at war, or they might be at peace. The law of nations recognised no other position in which states could stand towards each other. In whichever of these positions one power was to another—whether it were of war, or whether it were of peace—that power, as it had certain rights, so it had certain reciprocal and correlative duties; and with neither those rights nor those duties did the private character or private acts of persons administering the government in the slightest degree interfere; and, therefore, he saw nothing but danger likely to result from the policy of his Majesty's Ministers towards Don Miguel and Portugal. Ministers had, throughout, been actuated by the consideration of private character, and of the mode in which that prince obtained his seat upon the throne, and not by the relation of the two states to each other. His Majesty's Ministers had, in fact, attempted to establish a new right not sanctioned by the law of nations. Over and over again Ministers had told the House, that, by the law of nations, England was bound to maintain the strictest neutrality.

Lord *Palmerston* begged pardon for interrupting the right hon. Baronet. The declaration which Ministers had ever made was, that it was their intention to preserve a strict neutrality.

Sir *Robert Peel* was under a strong impression that that neutrality had not been preserved. The question to be considered was, whether the course which was then pursued towards Portugal was in conformity with the professed intentions of Government? His noble friend (Lord Palmerston) had asked, whether Portugal had any right to demand assistance from England for the purpose of repelling the intended attacks of Don Pedro? He certainly did not mean to contend that Portugal had any such right; but that was not the question. The question was, whether, in conformity with the strict neutrality she professed, and in conformity with the law of nations, England was justified in giving that aid to Don Pedro, which, it was impossible to deny, had been afforded to him? To that point alone would he apply himself. There was a remarkable case on record, in which the question arose whether a neutral power maintained its neutrality by suffering within its own territories the fitting out of vessels of war by one belligerent to be employed against another. During the period of the war between France and England, in the year 1793, the United States professed neutrality towards both parties. The French claimed the right of fitting out an expedition in a port of the United States against Great Britain. This right the Americans denied, through their secretary of state, who was afterwards president (Mr. Jefferson), who contended, that, as a neutral state, they were obliged, by the law of nations, independently of all treaties, to refuse to either belligerent the use of their ports for the equipment of vessels against the other. In a work entitled *Memoirs of Thomas Jefferson*, he found the correspondence which took place between that individual and M. Genet, the French minister at the United States, during the year 1793, from which, as it detailed exactly Mr. Jefferson's views on this branch of the law of nations, he would take the liberty of reading some extracts. M. Genet, having made his remonstrance on the part of the French government, was replied to by Mr. Jefferson in the following terms:—'You think, Sir, that this opinion is also contrary to the law of nature and the usage of nations. We are of opinion it is dictated by that law and that usage; and this had been very maturely inquired into before it was adopted as a principle of conduct. But we will not assume the exclusive right of saying what that law and usage is. Let us appeal to enlightened and disinterested judges. None is more so than Vattel. He says, L. 3. 8. 104—'Tant qu'un peuple neutre veut jouir surement de cet état, il doit montrer en toutes choses une exacte impartialité entre ceux qui se font la guerre. Car s'il favorise l'un au préjudice de l'autre, il ne pourra pas se plaindre, quand celui-ci le traitera comme adhérent et associé de son ennemi. Sa neutralité seroit une neutralité frauduleuse, dont personne ne veut être la dupe. Voyons donc en quoi consiste cette impartialité qu'un peuple neutre doit garder. Elle se rapporte uniquement à la guerre, et comprend deux choses—1. Ne point donner de secours quand on n'y est pas obligé; ne fournir librement ni troupes, ni armes ni munitions, ni rien de ce qui sert directement à la guerre. Je dis ne point donner de secours, et non pas en donner également; car il seroit absurde qu'un état secourut en même tems deux ennemis. Et puis il seroit impossible de le faire avec égalité; les mêmes choses, le même nombre de troupes, la même quantité d'armes, de munitions, &c. fournies en des circonstances différentes ne forment plus des secours equivalents, &c.' If the neutral power may not, consistent with its neutrality, furnish men to either party, for their aid in war, as little can either enrol them in the neutral territory by the law of nations. Wolf, S. 1174, says—'Puisque le droit de lever des soldats est un droit de majesté qui ne peut-être violé par une nation étrangére, il n'est pas permis de lever des soldats sur le territoire, d'autrui, sans le consentement du maître du territoire.' And Vattel, before cited, L. 3. 8. 15. 'Le droit de lever des soldats appartenant uniquement à la nation, ou au souverain, personne ne peut en envoler en pays étranger sans la permission du souverain. Ceux qui entreprenant d'engager des soldats en pays étranger sans la permission du souverain; et, en général, quiconque débauche les sujets d'autrui, viole un des droits les plus sacrés du prince et de la nation. C'est le crime qu'on apelle plagiat, ou vol d'homme. Il n'est aucun état policè qui ne le punisse très sévèrement,' &c. For I choose rather to refer you to the passage than follow it through all its developments. The testimony of these and other writers on the law and usage of nations with your own just reflections on them, will satisfy you, that the United States, in prohibiting all the belligerent Powers from equipping, arming, and manning 'vessels of war in their ports, have exercised a right and a duty with justice and 'great moderation.' Such was the opinion of Jefferson in 1793, who, it was to be recollected, throughout his life, bore anything but a friendly feeling to England. Such were the doctrines to which he referred for the vindication of the United States in preventing the equipment of the French fleet in their port. Mr. Jefferson, in his first reply to M. Genet, had relied mainly upon the insult offered to a sovereign power by the enlistment of its subjects, and the use of its ports, by a foreign belligerent; but in another letter, addressed by him to Governor Morris, on the same subject, he had argued the question in reference to its bearings upon the law of nations and the duties imposed by that law on a state professing neutrality. In that letter he found the following passage:—'1. M. 'Genet asserts his right of arming in our 'ports and of enlisting our citizens, and 'that we have no right to restrain him or 'punish them. Examining this question 'under the law of nations, founded on the 'general sense and usage of mankind, we 'have produced proofs from the most enlightened and approved writers on the subject, that a neutral nation must, in all 'things relating to the war, observe an exact impartiality towards the parties; that 'favours to one to the prejudice of the other, 'would import a fraudulent neutrality, of 'which no nation would be the dupe; that 'no succour should be given to either, unless stipulated by treaty, in men, arms, or 'any thing else directly serving for war; 'that the right of raising troops being one 'of the rights of sovereignty, and, consequently, appertaining exclusively to the 'nation itself, no foreign power or person 'can levy men within its territory without its 'consent, and he who does may be rightfully and severely punished; that if the 'United States have a right to refuse the 'permission to arm vessels and raise men 'within their ports and territories, they are 'bound by the laws of neutrality to exercise 'that right, and to prohibit such armaments and enlistments. To these principles of the law of nations M. Genet 'answers, by calling them diplomatic subtleties and aphorisms of Vattel and others.' 'But something more than this is necessary 'to disprove them; and, till they are disproved, we hold it certain that the law of 'nations and the rules of neutrality forbid 'our permitting either party to arm in our 'ports.' Here, then, was a practical illustration of the manner in which England ought to conduct itself towards Portugal, in conformity with the law of nations, and with the example of neutrality afforded by America, at a period when that power was under great obligations to France, and with a hostile feeling, at least towards England. There was, also, another point of view in which it was necessary to consider the aid which had been afforded Don Pedro. Independently of the breach of the public law by enlisting of the troops, and fitting out of ships for his service, such enlistment was a breach of the municipal law in force in England. It was important to consider the facts of the present case in respect to the enlistment for the expedition which recently left the British shores for Portugal. Was it possible that his noble friend could be ignorant of those facts. Was he aware that an able and distinguished officer in his Majesty's service, who was well acquainted with the Portuguese shores, commanded that expedition.

Lord *Palmerston* denied any knowledge of those facts.

Sir *Robert Peel:* Then he would give him that information; and he hoped that, if it reached his Majesty's Government then for the first time, they would, without delay, take means for disabusing the world, and manifesting that the proceedings in question were without their sanction or connivance. He could not have supposed that the Government was ignorant that the commander of Don Pedro's squadron was a Captain Sartorius—a captain, as he (Sir Robert Peel) understood, in the British navy. This was the first piece of information which he had to offer. He had then to inform them, that the "Congress" was commanded by a British officer, a commander in the Royal Navy, who had, however, assumed a feigned name; that the "Asia" was commanded by a Commander in the Royal Navy, also acting under an assumed name; that there were other officers in the Royal Navy serving in the expedition—that when the expedition was at Belleisle, the Commissary General was a Purser in the Royal Navy. He begged, also, to tell his Majesty's Ministers, that he had every reason to believe that not less than 3,000 British subjects were engaged in that expedition, who were to co-operate with French subjects, and about 2,000 Poles. He had also to inform this ignorant Government, that he had seen a letter written by an officer in the British service, in which he stated, that he had himself enlisted for Don Pedro's service not less than 2,000 men. He had further to state, that four English vessels of war had been fitted out in British ports for the service of Don Pedro. Such was the information, the truth of which he believed was unquestionable, and could any man say that it was not important? Did not the statements he had just read induce the supposition that it was a conjoint French and English expedition? Here were 3,000 English to co-operate with French and Polish troops. The Government denied their participation in these proceedings, but did they support that verbal denial by their acts? There was an Act to prevent foreign enlistment. Had Government called for the enforcement of that Act? By it the King of England was vested with extensive powers. Had those powers been put in force? He maintained, that, if British officers engaged themselves in a service, the avowed object of which was, to invade a country at peace and in alliance with England, a proclamation ought to have been issued by his Majesty, recalling all his own subjects from such expedition. Of one thing he felt confident: sooner or later England would find that her injustice towards Portugal would meet with its due reward. What was the doctrine laid down by the law of nations, independently of municipal law, respecting the power of the sovereign to prevent foreign enlistment within his own territories? Was it not, in all books on the law of nations, declared, that the sovereign power was armed with the right of preventing its subjects from engaging in the service of a foreign power? Vattel, before alluded to, speaking on that point, said—'The right of levying soldiers belongs solely to the nation, or to the sovereign: no person can exercise it in a foreign country without the permission of the sovereign. Those who undertake to enlist soldiers in a foreign country without the permission of the sovereign, and, in general, whoever seduces the subjects of others, violates one of the most sacred rights of the prince and of the nation.' The same doctrine was laid down, in 1819, by the present Judge Advocate, (Mr. Robert Grant), in the debate on the Foreign Enlistment Bill, in one of the most luminous and eloquent speeches he had ever delivered. That hon. Gentleman observed, 'Nations announced their intentions to each other through the medium of their rulers. Hence every state knew where to look for expressions of the will of foreign nations. All this system was at an end if, while we were professedly at peace with a country, she was to be attacked by a large body of military adventurers from our own shores—a sort of extra-national body—utterly irresponsible—for whose acts no redress could be demanded of the British Government—who might burn, pillage, and destroy, and then leave us to say, "We have performed our engagements—we have honourably maintained our neutral character." Not a single authority, nor the shadow of it, could be found in opposition to this plain, clear, irrefutable position—that when a neutral nation knowingly permitted the levying of troops in its territory by one of two belligerents to go so far as materially to sway the fortunes of the war, there such nation was virtually departing from its neutral character, and assuming that of an enemy, and this in the worst manner, because not directly.'* That also was the doctrine which he now maintained; Portugal might have given us twenty causes of war; but, if it were thought right not to go to war, we waived the rights which war would give, and had no option but to preserve the neutrality we professed. Mr. Robert Grant proceeded to say, 'The question was, whether the known and uniform practice of Europe had ever established, or even sanctioned, this principle—that a state, having pledged its neutrality to one of two powers engaged in war, might afterwards permit the opposite belligerent to draw troops from its population to any conceivable extent for the purpose of deciding that very war, without affording the slightest ground of just complaint to the power to whom its neutrality was pledged? Nothing of the kind could be pretended even for a moment.' In all these positions he cordially concurred. Was it, he begged to ask, expedient to habituate the subjects of England to offer their services to foreign states? Was it right to permit a foreign state to avail itself of the courage, intrepidity, and well-known skill of British officers, in the very teeth of the laws of nations, and of the Statute law of this country? That law might be bad; if so, let it be openly repealed, but not openly violated by foreigners while it remained in force. It was impossible that the Government could be ignorant of the breach of the law, for, if they had perused the contents of the affidavits sworn before the Lord Mayor, they must have become acquainted with it. Was the course pursued by Government in reference to this enlistment recommended by the example of other states? Certainly not. Was it recommended by the policy of Mr. Canning? Undoubtedly not. What was the language which he held to the Spanish refugees when he was in office? He told them that, as they had been obliged to fly from persecution in their own country, here they might find a refuge, and although there was an Alien Act in force, it should not be called into operation against them; but, at the same time, he explicitly stated, that they should not be permitted to use the ports of England for the furtherance of hostile projects against a power with which England was at peace. He had even gone further; for, hearing, by accident, that a certain Spanish refugee officer was meditating an attack on St. Domingo, he sent for him, and cautioned him against his proceeding, threatening if it was not stopped, to put in force the Alien Act. And such was Mr. Canning's conviction that, as a neutral state, England was bound effectually to discourage such projects, that he felt it his duty to communicate to the government of Spain the information he had received, in order that she might be upon her guard, and take precautions against the meditated attack. He maintained that, if there ever was a period when the law of nations ought to be scrupulously respected, the present was that period; if ever there was a time when they ought to guard against the unsettlement of the Peninsula, it was the present. He did not mean to say, that it was in the power of England to interdict Don Pedro from urging his claims upon the throne of Portugal. Had Don Pedro, being in possession of Terceira, sent his expedition from that place, England would have had nothing whatever to do with it. But he would maintain, that Don Pedro had no right to come to England, and, having enticed British officers from his Majesty's service, and availed himself of British ports, from thence proceed against Portugal. What answer could they make to Spain after they had connived at an expedition of that description, if she should enter Portugal, and plead their infraction of neutrality in the first instance as the defence of hers? His noble friend opposite talked of their right of preventing Spain from entering Portugal. But how much better should they be enabled to assert that right if they had themselves kept the high position of strict *bona fide* neutrality? His noble friend had justified the course which his Majesty's Government had adopted towards Don Miguel on the ground of his conduct and character. His noble friend maintained that they had a right to act as they had acted towards Don Miguel, because he had broken his pledged word to his country. But was the faith of Don Pedro inviolate? Had he kept his pledged word? British vessels and British property had been seized by Don Miguel, but had British subjects no grievances of a like description to urge against Don Pedro? Was his noble friend unaware of what had taken place during the war between Buenos Ayres and Brazil, and of the still unsatisfied claims of British merchants, for the confiscations which at that time had been made by the government of Don Pedro? It was said, that acts of cruelty had been committed by Don Miguel in Portugal, and on Portuguese subjects. It was for the people of Portugal themselves to redress such injuries, if injuries had been sustained. If ever the tyrannical acts of Don Miguel should exceed endurance, then his subjects, for aught he knew to the contrary, would have a right to refer to first principles, and to resist his authority; but this Government had no right to constitute themselves judges in the matter, and undertake the redress of domestic grievances sustained by the subjects of another power. These were frivolous pretences on which the Government tried to find an excuse for the breach of neutrality it was committing. If it determined not to maintain neutrality, it should have the manliness and courage to avow it, to declare war, and take the risk of war. But against its present course he earnestly and decidedly protested. It was at variance with the law of nations—it was forbidden by our own municipal law—it was an undignified, as well as an illegal course—contrary to that policy which should make us the last power in Europe to encourage civil contests and revolutions of government in the Peninsula.

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* Hansard's Parl. Debates, vol. xi. p. 1244-7.

Colonel *Evans* said, there was, in his view of the subject, nothing in the conduct of Mr. Jefferson, or in the opinion of Vattel, to which the right hon. Baronet had referred, that was at all at variance with the conduct of his Majesty's Government in this instance. That which Mr. Jefferson resisted was, an application, on the part of the French government, to fit out armaments in the ports of the United States against this country, but no power in Europe, much less Don Pedro, had demanded the right to fit out hostile armaments in our ports. He begged to observe, that, so far from the government of the United States acting upon those very strict principles of neutrality, as the right hon. Baronet would have them suppose, there were very few of the contests in South America in which several subjects of the United States had not been engaged. He did not believe that, in this instance, the troops had been enlisted in this country, or that the expedition had been fitted out here. Indeed, he understood, that the munitions of war which had been purchased here were the property of a merchant of France; as such they were conveyed out of this country, and there was nothing in the Foreign Enlistment Act to prevent a foreign merchant from taking such articles out of this country. The government possessed no power to prevent a foreign merchant from doing so, though it might be generally believed that, such munitions of war were intended for a hostile expedition against Don Miguel. But, if the right hon. Baronet would have it, that the purchase of munitions of war for the use of Don Pedro indirectly was a breach of neutrality, there was a still more direct and daring violation of it committed. For the munitions of war intended for Don Miguel were not taken out of this country, as the property of a French or a Spanish merchant, but were sent to him direct, from the port of London to Lisbon. The right hon. Baronet had talked of the infraction of the law of nations committed in the instance of the French expedition to Ancona: he (Colonel Evans) understood that the officer who had issued the proclamation, on taking possession of Ancona, was now to be tried by a Court Martial. It appeared to him that France was justified by the example of Austria in sending troops into Italy. If the Austrian troops were withdrawn from the Italian states, then there might be grounds for preferring some complaint against France. Besides, the small number of troops of which the expedition in question was composed—only 1,500—was a proof that it was more the assertion of a principle, than any motive of aggression that had induced France to send that expedition to Italy. With regard to the question of Belgium, he perfectly agreed with the right hon. Baronet as to the propriety of maintaining, as far as possible, the entire rights of the king of Holland; but the right hon. Baronet appeared to him to take an *ex parte* view of the subject when he contended that the paramount object with the powers of Europe should be the maintenance of the rights and interests of Holland. The paramount interest and object of the Conference and of the European powers consisted in the maintenance of peace, and the securing the repose of nations, at the smallest sacrifice of individual rights, and individual nations.

Mr. *John T. Hope* said, he had but a few words to say upon this subject. He was decidedly favourable to the preservation of neutrality between nations, in the strictest sense of the term, and, therefore, he wished to see the rights of the smaller states respected, as he was convinced that no general peace could be preserved without a strict attention to the fair and honest preservation of such neutrality. He believed, however, from all he had heard that a *primâ facie* case had been established of an expedition having been fitted out in this country against Don Miguel, and he wished to know why his Majesty's Government, under such circumstances, had not interfered to prevent it?

Mr. *Hume* said, he did not find fault with Members for objecting to the expedition to Ancona; for he could say, that he looked upon that as the wildest expedition he had ever heard of. That, however, was not the question. He rose solely to object to the argument of the right hon. Baronet, who, had, in his ingenious speech, assumed circumstances which had never occurred, and a state of things which had never existed, which did not exist, and which never would exist; and he was, therefore, not inclined to place much reliance on the right hon. Baronet's arguments. The fact was, that before the passing of the Foreign Enlistment Act, there was nothing that prevented the inhabitants of this country from fitting out expeditions to any country in the world, for if there was, why had the Foreign Enlistment Act been passed? He recollected the passing of that Act. He also recollected that he always voted against it, but, nevertheless, he must say, that, strongly as he had opposed it he found it quite harmless in this instance. He maintained, too, that the facts deposed to before the Lord Mayor did not constitute a violation of the Act. He regretted the course which his Majesty's Government had adopted with regard to Captain Sartorius. One day they said, that they had no official knowledge of his being in command of Don Pedro's expedition, and the next day, as if to afford an instance of their weakness, they struck his name off the list. The real facts of the present case, in reference to which the right hon. Baronet would raise such a charge against his Majesty's Government, did not involve a violation of the provisions of the Foreign Enlistment Act, although that was an Act which he thought should be repealed. Even after the passing of that Act, and under an Administration of which the right hon. Baronet was a Member, several thousand men, as the right hon. Baronet must be aware, went out from Cork, and from other ports of the United Kingdom, on expeditions of this description. The right hon. Baronet cautioned his Majesty's Government against taking up reports or rumours as to Don Miguel's character as a guide for their conduct towards him. Why, it was the late Government to which the right hon. Baronet belonged, which broke off all intercourse with Don Miguel, because he was too bad. It appeared to him that the Government had only to deal fairly between both parties; and that when arms and ammunition were allowed to be supplied to Don Miguel, they should not be withheld from Don Pedro.

Sir *Charles Wetherell* would not enter at all into the argument of the hon. member for Middlesex, because, in his opinion, the hon. Member had not only argued against his right hon. friend, the member for Tamworth, but, had actually argued against himself. He had never heard a speech in that House, which was more convincing to him than that which had been delivered by his right hon. friend upon the law of nations. He considered the expedition of Don Pedro not only as a breach of the Foreign Enlistment Act of this country, but also a breach of the law of nations. The Foreign Enlistment Act of 1819 was not the first measure upon this subject, for to enlist a seaman for foreign service was made a capital felony in the reign of George 2nd. A complete fleet was equipped by Don Pedro—Great Britain was used as an arsenal, and by suffering that, was guilty of a breach of neutrality. He considered this question to be one of great importance, and as such he treated it. Great Britain was liable to attacks from other powers in a naval point of view, and if the Ministers did not perform their duty, and prevent the invasion of other states, it would be idle to talk of either neutrality or peace. The conduct of Don Pedro was reprehensible in the highest degree, but the misconduct of the Ministers in permitting it was still more so. The *de facto* government of Portugal was entitled to respect, and the more so if the Government would act upon a fair system of neutrality. He contended, that the conduct he complained of exhibited a departure from those principles which had hitherto governed the conduct of the Government of this country—a departure, which, if persevered in, would, sooner or later, lead to a dreadful retaliation, and subject this country to all the degradation and mischief attached to foreign aggression.

Sir *Frederick Trench* was astonished to hear the hon. member for Middlesex speak with contempt of affidavits. He thought they afforded the best means of coming at the truth, and too little attention had been paid to them in this case, or the facts connected with the expedition of Don Pedro would have been better known. When the persons enlisted for this expedition came to London, which was then in a state of disturbance, he had heard of their arrival, and had mentioned the subject privately to a Member of the Government, but was dissuaded from bringing it before the House. He had fully considered all the facts which had been stated on this subject, and he was decidedly of opinion that it was a dishonourable breach of neutrality on the part of those who had suffered an expedition to be fitted out in this country. He did not believe all the statements which had been published respecting Don Miguel; but, whether they were true or not, that question did not at all bear upon the other matter, namely, as to whether there had been a breach of neutrality or not. Being on his legs he would take that opportunity of saying a few words respecting the king of Holland and the treatment that monarch had received. He knew that sovereign to be a most excellent and amiable man who had the welfare of his subjects truly at heart, and considering that himself and his people were connected with the best interests of this country, he very much regretted his cause had not found more favour in the sight of Ministers. He was sorry that they should suffer that Monarch to be injured and insulted without exerting themselves in defence of him and his country.

Sir *John Milley Doyle* rose for the purpose of asking his Majesty's Ministers whether they were aware of the nefarious project of the Spanish government respecting its intention of opposing the wishes of the Portuguese nation, and of assisting the present usurper on the blood-stained throne of Portugal, notwithstanding its pledge to the contrary to France and England; and if they were, if any intimation had been made to the government of Spain that a real and not a mock neutrality would be insisted upon by this country? He begged leave to call the attention of his Majesty's Ministers, and the nation, whose honour was concerned, to the statement which appeared in *The Courier* of Saturday last, and which, with the permission of the House he begged leave to read:—"We learn from a private source, on which we have reason to rely, that notwithstanding the assurances of the Spanish ministry to the contrary, it is intended, in the event of the invasion of Portugal by the forces under the command of Don Pedro, that the Spanish troops, now on the frontier as an army of observation, shall enter Portugal for the purpose of aiding Miguel in his endeavours to retain an usurped crown. Shortly after the reply of the Spanish Cabinet to the remonstrances of Lord Palmerston, a meeting of the Apostolic Junta was held, at which it was resolved, with the direct concurrence of the king, that, as the restoration of the constitutional system in Spain must inevitably follow the success of Don Pedro in Portugal, it was essential, for the protection of the throne and the clergy, that assistance should be given to Don Miguel. This having been unanimously agreed to, it was suggested that private orders should be given to the Generals commanding the army of observation, to enter Portugal on the summons of the usurper, with an intimation that although it might become necessary on the part of the ministry to disavow the act, the junta and the king would take especial care to reward the officers who should, by their obedience to the orders of the junta, evince their regard for the altar and the throne."

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"The protestations of the Spanish cabinet will avail nothing after the fact. It is, therefore, the duty of the British and French Governments to prevent the possibility of such a case." Knowing this statement to be matter of fact, he should have much pleasure, if permitted by the noble Secretary for Foreign Affairs, to place documents before him, for the information of his Majesty's Government, which would fully prove the perfidy and bad faith of the Cabinet of Spain, supported by the beloved Ferdinand and his enlightened councillors, the Apostolic Junta. He felt it the more necessary to trouble the noble Lord with these questions, as it was generally understood that the gallant General at the head of the Foreign Department in France, had, from courtesy to our Cabinet abstained from taking any part in the Portuguese question, except with the concurrence, and indeed, at the suggestion, of Great Britain. He was quite sure, however, that General Sebastiani would cheerfully second any measure which our Government might adopt to secure the real neutrality of Spain.

Mr. *Fane* regretted deeply to observe the conduct of the Government with respect to France. It would be a piece of successful artifice on the part of the French government if it could disarm its most powerful opponent. He deprecated such an union between France and England; for in the event of any contest between France and any other Power, France must, under such circumstances, be the conqueror, and then self-preservation would compel us to oppose France after she had thus strengthened herself by our means.

Mr. *Gally Knight* regretted to perceive that interference seemed to be considered odious only when it had a chance of promoting the cause of improvement and freedom. Hon. Gentlemen opposite complained much of French interference in Italy, but why did they not complain of Austrian interference? If Austria had not interfered, neither would France have interfered; but the interference of Austria was seen with complacency, because it was exerted to crush those who sought to improve the condition of their country; and the interference of France was seen with aversion, because it might possibly assist the patriots. It was notorious, that it was only the Turk who disputed the palm of bad Government with the Pope. It was curious enough, that the two stains on modern Europe should be Constantinople and Rome. He regretted that we had interfered to save the former, and that Austria should have interfered to protect the latter. In the fragment of the Roman empire to which he was alluding, ennobled with so many proofs of its former prosperity, possessed of all the advantages which the prodigality of nature could bestow, all these associations, and all these advantages were rendered of no avail by—he would not say the tyranny, but —the weakness of a Government, which had not the wisdom to frame good laws, and which had not the strength even to protect its own subjects from its own banditti. How much was the pleasure of travelling in that delightful country diminished by the sight of the condition of its inhabitants! And how could it be otherwise, when the Government was he should say, the *beau idéal* of a bad government—a pure despotism of priests, all ignorant, as they must be, of the conduct of human affairs, and presided over by the feeblest of their number, who was often dragged from the convent, to end his days on the throne? Was it possible that a Government, so constituted, could promote the welfare of the country, if it even entertained the best intentions? He was not absurd enough to dream of an immediate renovation of free institutions, being well aware that we could not have a Roman senate without a Roman people. It must be *Senatus populusque*, and both were equally wanting. But he was anxious to see some alterations—some introduction of laymen into the departments of government—some changes, which would be equally advantageous to the sovereign and to the country. And it was to prevent such alterations that Austria at first interfered. It was this modern system of interference against which he protested—this right, which the Great Powers had assumed, of controlling the conduct of such states as were weaker than themselves. It was on this principle that Austria went to Naples, that France entered Spain, and that Austria again interfered in the Papal states. Could there be a greater abuse of power than to proclaim to all the minor states of Europe, that they would never be permitted to improve their condition? And was the permission or even the request, of the oppressor, to legalize such interference? This was adding mockery to wrong, and perverting the law of nations into instruments of tyranny. What petty prince would govern well, if he, knew that he had at all times a powerful protector at his back to screen him from the just indignation of his miserable subjects? He complained of the interference of Austria more than he did of the interference of France, and he could easily conceive a case in which France would be perfectly justified in not leaving Italy to the sole domination of Austria. It had been asserted the other night, by the hon. Baronet opposite, that the French would never have gone to Ancona if it had not been for the known disposition of his Majesty's present Ministers. But might it not be said, with at least as much appearance of probability, that, if it had not been for the known disposition of the predecessors of the present Ministers, Charles 10th would never have ventured to issue his fatal ordinances? — those fatal ordinances which had hurled himself from the throne, spread agitation throughout Europe, and of the pernicious effects of which no man could foresee the termination. He regretted to see that so many attempts were made to revive the old jealousies between this country and France, when it was allowed on all hands that a good understanding between the two countries was essential to the peace of Europe. He was far from wishing England to countenance the views of the war party of Paris: on the contrary, he considered that party was not only hostile to the peace of Europe, but hostile to the true interests of France herself. But Paris was no longer France, and the war party, was not the government. The present government of France had uniformly exerted itself to restrain unreasonable ambition, and had uniformly conducted itself towards this country with the most perfect good faith; and so long as the French government conducted itself in this manner, it would be the best policy of England to cultivate the alliance of France; and so long as France and England remained in amity, they might bid defiance to the world. Having so recently expressed his sentiments on the subject of Portugal, he should not trouble the House on that subject, further than to repeat his hope, that no interference in the affairs of that country would either be attempted or permitted, and that, in the approaching conflict, the Portuguese nation might be left to the undisturbed exercise of its own decision.

Mr. *Courtenay* observed, that, in answer to what had been said on that side of the House on the subject of the French expedition to Ancona, they were told that the French officer had been recalled and his acts disavowed by the government. But the object of his friends was, not to know what had been done with the officer, but on what footing the troops were in Ancona. With respect to what had been said about Austria, he begged to observe, that there was a great distinction between the two occasions in which Austria had interfered, and the present, when France interfered. In the first instance, as had been truly observed by the late Lord Castlereagh, Austria interfered on account of the safety of her own territories, which lay contiguous to those where the troubles existed, and in the recent instance of Austrian interference, the Austrians had been called on by the government of the country. He repeated, that he wished to know on what footing the French troops stood in Ancona?

Sir *Ralph Lopez* was rejoiced not only at the amicable footing on which the French and English Governments stood with regard to each other, but at the favourable tone with which that intimacy, so essential to the peace and welfare of Europe, had been spoken of by hon. Members who were opposed to the policy of Ministers on a great number of important questions. With respect to the conduct of the late Government towards Portugal, he must say, that he never could divest himself of the belief, that though Lord Aberdeen's twenty-three months' diplomatic correspondence with that country tended in letter to censure the conduct of Don Miguel's government, the general tone and spirit of that noble Lord's language, in his place in Parliament and elsewhere, had the effect of affording a decided moral support to that government.

Mr. *Baring* agreed with the hon. Member, that a good understanding between France and England was just now essential to the peace of Europe, and, indeed, to the civilization of the world. At the same time it was necessary clearly to maintain our own position, and to give to our allies that consideration and protection to which they were entitled, and which was so necessary for our own welfare; but he must disclaim the notion that that good understanding implied an officious interference in the affairs of other countries. For those countries to assume the part of dictators to other nations, as to what they considered good or bad government, would be only setting up two despotisms fatally mischievous, to the cause of real good government all over the world. He was by no means an admirer of the present condition of Portugal; but he could not, therefore, sanction the notion that it was proper for France or England, or any other nation, forcibly to interfere and change that state. As a mere question even between Don Miguel and Don Pedro, there could not be much of a choice between them; so that, apart from all respect for national rights and international law, Portugal should be left to herself to settle the question at issue between the two royal and fraternal combatants. He could not but regret that Don Pedro had been permitted by the Government to raise such a wholesale armament here as had lately sailed from one or two of our ports to the Western Isles, the rather as he feared it would weaken the effect of our remonstrance with Spain not to interfere by force in favour of Don Miguel. The rash and precipitate interference of the English, in imitation of the French cabinet in the affairs of Belgium, had, in his mind, led to the most mischievous consequences to all parties. He was confident that had the two governments been less hasty and eager in their recognizing the independence of Belgium, and in declaring that the re-union of Belgium and Holland was, after what had taken place, an impossibility, so far from that country being in its present most unsatisfactory and unfortunate position, it would be now again a peaceable part of the dominion of the king of the Netherlands. Even when the separation had been fixed upon, he thought much more satisfactory arrangements might have been easily adopted—as, for instance, annexing the purely Flemish provinces with Antwerp on the one side, and Maestricht on the other, so as to insure Holland a command of the navigation of the Scheldt and the Maes, than had been adopted. As it was, Belgium was, to all intents and purposes, a French province. It was true that our national vanity was flattered by the choice of Prince Leopold for the nominal sovereignty; but still the Belgian government was made wholly dependent on that of France; and king Leopold 1st was just as dependent on the French cabinet, as any Nabob on the Ganges was on our East-Indian government. Indeed, without attaching the Belgians to us, our interference had the effect of converting into bitter enemies the Dutch, our old allies, and who, up to the period of that interference, would have shed the last drop of their blood in defence of the Protestant connexion. Then with respect to the conditions attempted to be imposed on Holland: The proposition for opening the narrow waters was most unjust. The Dutch could not accede to it, without sacrificing their independence. The mouths of the Scheldt and Rhine were open under the law of nations; but no law of nations touched on the narrow waters at issue, which were, in fact, two canals, and as much belonged to Holland as any of the canals of England did to England. It was perfectly true, that, when Holland and Belgium were united, the king of those countries declared the canals open to both, but that declaration was made only in consideration of the countries being thrown into one power. The king of Holland was not bound to continue the privilege under a new dynasty in Belgium. The Dutch—and he felt with them—believed that Belgium was in reality to become nothing more than a province to France, and they, therefore, viewed with the deepest alarm the opening of these canals. Only suppose Belgium a province of France, and these canals open, and what would be the consequence? Why, France would be able to place her forces immediately in the rear of the fortifications and arsenals of Holland. He believed that M. Talleyrand, if he had received a *carte blanche* from all the powers of Europe, could not have placed the Belgian affairs in a situation more favourable for his own country than they stood at present. It would, in fact, be like allowing the freedom of the Medway to another power, and so exposing all our arsenals to attacks from the rear. He said, therefore, that the king of Holland had not set up a mere imaginary case for disputation, but that the safety of Holland was at stake, and the people of that country could not give way without sacrificing their independence. The House would remember, that these canals were not to be opened by Belgium. Holland and Belgium were not left to settle the dispute, but in stepped two great bullies to overawe a particular party. He considered the proceeding as most unjust and tyrannical, and also as most impolitic. If political gratitude or feeling of ancient friendship could influence a country, England ought to take an active part for the protection, and not for the spoliation, of Holland. The last objection, however, which he had to the whole proceeding was, in his mind, the strongest. He was much opposed to the interference of this country in continental matters. He was sorry to see this country giving guarantees for the maintenance of any state of affairs on the continent. He did not mean to say that nothing could occur on the continent for which this country ought to go to war; but he should like to see no guarantees given, and each case taken into consideration as it arose. He was surprised to hear the noble Lord opposite (who had, on a former occasion, vindicated the Government for continuing to pay the Russian-Dutch loan) state, that the guarantee into which this country had entered was not a guarantee for the payment by Belgium of a certain annual sum to Holland. He thought it a fortunate circumstance that this declaration had been made by the noble Lord before the ratification of the articles by Holland; because no misunderstanding on that point could afterwards arise.

Mr. Alderman *Thompson* regretted that the recruiting for the service of Don Pedro had been suffered to be carried on in this country; for, whatever might be the proceedings of Don Miguel, British interests had not suffered materially by them. On the other hand, there never was a case in which British subjects had suffered so much, or in which they had so much reason to complain, as they had in the case of Don Pedro, who had sent immense sums to this country for the purpose of recruiting, while many of his creditors were bankrupts, in consequence of his refusing to comply with their just demands, and others were exposed to difficulties which might have been avoided, if he had done them justice. He would not then pursue his observations on the subject, as it was to be regularly brought under discussion on Thursday next. On that occasion, he would undertake to detail cases of greater atrocity and fraud on the part of Don Pedro than were hitherto known to modern history. He would only add, that he heartily joined with the hon. member for Thetford, in the hope that no powers would combine in imposing any particular form of Government upon any hitherto independent state.

Mr. *Hunt* was of opinion, that the law of nations had been broken by this Government allowing the expedition of Don Pedro to sail from the ports of England, and it was no justification of their conduct that former Governments had done the same.

Question put, that the House do then resolve itself into a Committee of Supply.

Viscount *Palmerston* again addressed the House. He thought that the desultory style in which several matters connected with the foreign affairs of the country had been discussed that night was not a very convenient mode of inquiring into important and complicated questions, each of which was of itself sufficient to occupy the attention of the House for one night. With respect to the expedition to Algiers, he thought that it was unnecessary for him to state to his right hon. friend opposite, who was in office at the time of the sailing of that expedition, what were the explanations given by the French to this and other governments on that point; and he had not the slightest doubt, that whatever engagements the French government had entered into would be performed with their usual good faith. The next subject to which he would direct the attention of the House was that of Ancona. It had been stated, that the French government, though they had recalled the naval commander, had not recalled the commander of the land forces. He was not certain whether Combs had been recalled or not; but Gallois, who, he believed, was commander both of the naval and of the land forces, and who was, therefore, responsible for every act committed by the French troops at Ancona, had been recalled. To explain the object for which the expedition to Ancona was undertaken, he thought he could not do better than refer to the declaration made by the French government in the Chamber of Deputies. It was there stated, that the purpose of that expedition was, not conquest, aggrandisement, or the permanent occupation of the place, but, to restore the papal states to such a degree of tranquillity as would enable the sovereign to perform those engagements into which he had entered. But it was said, that the letter of M. St. Aulaire completely proved that the Pope had performed all the engagements he had made to his subjects. He could not agree in that statement, for the letter itself stated, that some of the arrangements proposed by the Pope were incomplete. It was evident, therefore, that the Pope had not carried into effect those improvements in the system of the government of the Legations, which the people of the Legations had reason to expect from his former promises. He then came to the same important question of Belgium, the settlement of which the hon. member for Thetford had stated to be most advantageous for France, and disadvantageous for this country, that could possibly have been made. He humbly begged leave to say, that, in his opinion, the most advantageous settlement had been made, that, under all the circumstances—the unfortunate circumstances—of the case could have been adopted, not for France only—not for England only—but for Holland, for Belgium, and for the rest of Europe. Surely the hon. Gentleman could not have been serious in supposing that the security of the kingdom would have been best preserved by annexing the Flemish provinces on the frontier, with Maestricht on the one side, and Antwerp on the other. Now, one of two things only could have been expedient. In the first place, the Powers might have exercised the right of employing force for the purpose of compelling Belgium to give up these possessions to the sovereign in whose hands they had formerly been confided. If you gave up the principle of not interfering by force of arms to quell rebellion, and restore harmony, it was necessary to make Belgium a separate province capable of maintaining itself. If Belgium was to be separated from Holland, it was necessary to place that country in the situation of an independent kingdom; and this object had been attained by the arrangements which were entered into. He supposed the hon. member for Thetford would not have wished to see a partition of the kingdom of Belgium: talk of ten years, it could not have lasted ten months, as the hon. Member must, on reflection, admit; for, if he remembered the case of Poland, he must know that the word " partition " was disliked by the British people. All he would say on this point was, that the cutting up of the country of Belgium in different portions, for the purpose of adding to the dominions of the neighbouring powers, would have been a most profligate proceeding, and most impolitic on the part of this country. The question, whether force should be used for the purpose of restoring Belgium to the dominion of Holland was settled before the present Administration came into office. The king of Holland did, at the beginning of the Belgian revolution, call upon his allies to aid him in compelling his revolted subjects to return to obedience, and the last Government most wisely advised his Majesty to refuse giving any assistance of that sort. From that moment, the course of the Conference was chalked out, and the only question which remained was, whether the two countries should be joind under one crown, with separate and independent legislatures, in the same way as Scotland and England were before the Union, or whether it should be a complete separation with two sovereigns, as well as two countries. But events occurred which completely decided that question. The unfortunate expedition of the king of Holland against Brussels, and the events at Antwerp, raised the passions and hostility of the people of Belgium; and, from that moment, it became impossible to place the two countries under the same crown. From the moment it became obvious that the union of the two countries could not, with the free will of both, be effected, and that their separation, therefore, was a matter of absolute necessity, it became the policy of England, if she looked not merely to her own interests, but to the arrangement which would best secure the peace of Europe, to constitute Belgium substantially and really an independent state; and, at the same time, to take care that the interests of Holland were not sacrificed. It was the policy, and indeed the duty, of this country, not to become a party to any arrangement that would sacrifice or be injurious to the interests of Holland. But what did Holland say?—"You are now going to decide upon the course you will pursue. Let Holland be what Holland was, and do not take from her any thing she has." But it must be recollected, that what Holland had gained in point of territory exceeded the most sanguine expectations of her former statesmen. In point of territory and military defences, Holland was now placed in a situation which her former statesmen would have considered an object of sufficient value to be obtained by almost any sacrifice; but these advantages could not be obtained without, in some degree, opening the navigation of her rivers. Thus it became necessary to declare anew, that freedom of navigation, which was declared to be part of the law of nations by the treaty of Vienna. When hon. Gentlemen talked of the independence of Holland, and the importance of preserving to her those internal waters, he would beg to ask them, whether they ever heard of the grounds on which, for the space of fifteen years, these articles of the Treaty of Vienna were not carried into execution? Did they ever hear of such arguments as this—'It is true that 'your treaty declares that the navigation 'of the river shall be free from its source 'to its mouth; it is quite true, there'fore, that the navigation of the Rhine 'is free; and, as to the sea, everybody 'knows, that that is free; but, then, 'there is between the Rhine and the sea a 'certain intermediate space, which is nei'ther river nor sea, but which ignorant 'persons are apt to call the mouth of the 'river, but being neither river nor sea, 'neither your treaty nor the law of nations 'can be considered to apply to it.' This having been the sort of objection which had been raised to the performance of a part of the treaty for some fifteen years past, he certainly did not consider that it was a work of supererogation to endeavour to provide that this point should be at length settled. It might fairly be asked, on what principle was Belgium to be saddled with an enormous debt which she would not be able to bear, unless she received some reciprocal advantage? Why, it was impossible to judge of the treaty by taking it in parts, and saying, this part is burthensome to Holland, and this advantageous to Belgium, or *vice versa;* it must be taken as a whole; it was as a whole composed, and entered into by the Conventions on the one side and the other. It was intended by that treaty to give to Holland the things which she stood most in need of, and to give to Belgium, on the other hand, those advantages without which she really could not exist. The treaty did not, altogether rest on that high-minded feeling on the part of Holland which some hon. Gentlemen had described. The treaty was as much an interference with the rights of Belgium as with those of Holland; and it rested on this, that, as the two Powers could not come to an understanding, the five Powers felt themselves compelled to step in, and say, "here is an arrangement, formed on a just regard to your mutual interests, and which it is necessary that you should accept." The hon. Gentleman, the member for Thetford, had told them that the Dutch defences would be thrown open to the French. He really would induce the House to suppose, that, instead of the sugar and coffee with which the barges were usually laden, the Dutchmen would find they contained an army, and that armed men would rush from their concealment beneath the tarpaulins of the barges, and master their defences, and overcome their most important fortresses. Really, the hon. Gentleman could lay claim to the merit of having been at least the first he (Viscount Palmerston) ever heard to start such an objection as this. The navigation was necessary to Belgian commerce, but it was the interest of Amsterdam and Rotterdam, that Antwerp should not be a naval port; and if the internal navigation were cut off, it certainly could not become so. He did not recollect any further arguments which had been advanced connected with this part of the question, which it would be necessary for him to answer: if hon. Gentlemen could state any other, he should be happy to reply to them. He had now gone through all the arguments which had been urged on this point, with one exception, and it was this: They had been told, that this joint navigation of rivers was a novel proceeding. Now, at any rate, it was not an unprecedented one; for if any hon. Gentleman would turn to the treaty between Prussia and Hanover, he would see that by the 6th Article of the Treaty of the Congress of Vienna, a precisely similar condition was imposed. With respect to the guarantee, he certainly was again disposed to rely on the distinction he had made on former occasions between a guarantee and a surety; and that distinction was not founded upon any opinions of his own, but on an authority which he was sure would not be disputed. Vattel had distinctly laid down that, in cases of money, it was better to obtain a surety than a guarantee, because the person who made the guarantee was only bound to exert his utmost endeavours to compel the party to perform his engagement; but that the party who became surety was bound to make it good himself. Therefore, the distinction between a guarantee and a surety was clear and obvious. In the Russo-Dutch loan, there was a specific engagement that we would pay a particular sum, not that we would see it paid; therefore, the two cases were totally different, and had no bearing whatever on each other. Ministers were then charged with not preserving a strict neutrality. Now, without the slightest wish to revert to what had passed, or to make any imputation against the late Government, he must say, that such a reproach, proceeding from those who planned and executed the affair of Terceira, was equally hard and undeserved. He was ready to admit that it was a departure from the principle of strict neutrality, but it was a departure in favour of the party whose policy was most agreeable to the interests of this country. But he would not follow the example which had been set by the other side of the House. He contended that he and his colleagues had not been guilty of any violation of the stipulated neutrality. Nothing which had been stated by his right hon. friend could show or establish such a charge. His right hon. friend had quoted, very copiously, from many learned authors —a course which he little expected from the manner in which the noble Lord (Eliot) introduced his question—to hear adopted to-night; but, after all that his right hon. friend had advanced, still, he should contend, that none of those quotations bore upon the point, or established any charge against his Majesty's Government. What was it that all those quotations went to show? They showed this—that a government which gave assistance to one of two belligerent parties was not neutral between those two parties. Nobody ever disputed that position: but the question here was, not whether giving assistance, by military aid, and by commissioning ships, and permitting an armament to be formed within its ports and territories, a government was acting inconsistently with the character of a neutral: the question was, not whether that was a sound doctrine, according to the law of nations, but whether the British Government had acted thus? Did we give permission to one of the parties to raise recruits, and prepare an armament in British ports, and refuse a like permission to the other party? Did Ministers give aid to one, to the prejudice of the other? He must contend they did not. It had not been even asserted that they did. The charge was, not that they had given permission for, or encouraged these things to be done but that they did not do all that they might have done to prevent them. This charge, then, fell infinitely short of the position which the quotations were brought forward to support. But it was said, that these ships were completely equipped and armed before the expedition sailed from our ports, and that the First Lord of the Admiralty could not, at the present moment, send out a better naval force for the defence of the country, if called upon to do so. He should not notice the disparaging notions in which Gentlemen on the other side of the House were fond of indulging, on the subject of our naval force; but he would contend that there was nothing in the conduct of his right hon. friend, the First Lord of the Admiralty, which could justify this assertion. The hon. and learned Gentleman opposite (Sir Charles Wetherell) might have informed himself by some peculiar means of the nature of these equipments, but from all the information which had reached him (Viscount Palmerston) on the subject, he was led to believe that these ships were totally unarmed. He did not believe that the vessels which quitted this country were capable of receiving guns or of being armed. Nay, in the very informations that were laid before Government, and upon which Ministers were required to act, it was never alleged that these ships were armed at all: and he did think that they should be very ill served indeed if any expedition were to be sent forth by them with such equipments. But then it was said, that, although the vessels which were pierced had no guns, yet there were other vessels which had. But would any hon. Gentleman tell him that there was any law to prevent the exportation of arms and ammunition as articles of merchandize? If not, then it was perfectly legal to export cannons, gunpowder, arms, and ll other implements of war; and he should ike to know how it could be made a reproach to the Government of this country hat they did not prevent that being done, vhich they had no legal power to prevent? But then it might be said, that Ministers ight have stopped the vessels for having British subjects on board, contrary to the th section of the Foreign Enlistment Act, vhich empowered the Government to preent persons putting to sea who had been legally enlisted or enrolled in the service of reign states. But he would remark that is clause was confined strictly to persons ho had enrolled themselves for that speial purpose; and not if they were on board r the purpose of navigation only. Now, hen the vessels were detained by the ustom-house officers, and searched, it did ot appear that there were more men on oard than were necessary for the navigaon of the ships; and it was proved, too, at the ships were at that time destined to e ports of France. Hon. Gentlemen ight say, that there were ample grounds r suspicion as to the ulterior destination f the ships; but the question was, what e Government could legally do? and he aintained that the Government would ave overstepped the limits of the law if it ad interfered with the property and pur- its of individuals, because doubts and sus- cions might have been entertained as to e intentions of the parties. This, he con- ived, would not only have been a depar- re from the principles of neutrality, but ould have been a gross infringement on e rights of property. But, he must re- eat that the ships which were pierced ere not armed; and that the arms which ere in the other ships were intended to exported as merchandize, those ships ot being capable of bearing arms at all, d, therefore, the section of the Foreign nlistment Act, which empowered Govern- ent to prevent the sailing of ships for the rposes of warfare, did not apply to this se. It was, however, said, that the fact as made known to Government by nu- erous affidavits made before the Lord ayor. But would the hon. and learned entleman (Sir Charles Wetherell) say— should bow to his authority, if he did, that affidavits taken before the Lord ayor were documents receivable as evi- nce in a court of justice, or that they were good as any other kind of evidence? He ld not surely state any such thing. No ps could be taken upon such documents, mposed, as they were, of all sorts of gossipping stories as to what had been said by one man, and what was believed by another. Even if they had been in other respects, good legal evidence, their substance was such as to make them totally inadmissible in any court of justice. But he could not omit mentioning what was stated to the Portuguese consul general. What was said to that gentleman?—'The execution of the law is not confined to the executive Government: it was open to any person to enforce it. But, then, the party must have sufficient proof to sustain his case. If you have proof sufficient to institute proceedings, you may go and institute them. It is idle to say, that no impediment will be offered; the law is as open to you as to us: you have evidence, we have not.' This was the language addressed to the consul general; and why did he not act upon it? If there was that proof so clearly made out, he would wish to be informed why it was not produced by those whose interest and duty to their employers it was to enforce the law? They had some very learned advisers on the subject, and why did they not tell the parties how the proceedings should be instituted? In truth, he could not account for all this quiescence in wrong, on the part of those who, in language and deportment, were so clamorous for right. But it was said, that, putting all this aside, there were serving in the fleet of one of the two contending parties a considerable number of English sailors and officers; that there were 3,000 English sailors, commanded by English officers; and the fact of so many English subjects serving in the fleet, destroyed at once our character of neutrality, and proved that it was a conjoint French and English expedition. Now, in the first place, he had already stated, that, as far as the English Government was concerned, the only English officer known to be serving in that expedition had been dealt with according to the rules and discipline of the service to which he belonged. Not having attended the summons of the Board of Admiralty, his name had ceased to be on the list of the navy: and as to any other officers, Government did not know the fact of their being in the service of Don Pedro. But was this the first instance in which the subjects of one country had been serving in the naval forces of another? He should like to know whether, in the course of our naval war, our fleets were manned wholly by British subjects? Had we no Danish sailors, no Swedish sailors in our service? And yet was Denmark, or Sweden, ever considered, by those who well knew the facts, as becoming partners and as sharing in that war? This, indeed, appeared to him rather an extraordinary interpretation of the law of nations. But that case was not the only rock upon which the vessel of the right hon. Gentleman was likely to split. He was sure his right hon. friend could not forget the naval war which took place between the empire of Brazil and the state of Buenos Ayres. During the blockade and naval operations which then took place, his right hon. friend must well recollect that great numbers of British subjects were engaged by both powers. On the part of Buenos Ayres the fleet was commanded by Admiral Plowden, and many of the crews were entirely British: indeed he should not be risking much if he were to say, the whole of those ships were manned by the subjects of the King of England. The Brazilians, indeed, had not so large a number of British sailors in their service; but some of their ships had English crews, and it was well known that many Irishmen went over purposely to join that power as troops on land. But then it was said, you must not justify one breach of law and right by recriminating on the Members of a former Government that the same things had been done in their time. It would be said, that Ministers ought not to refer to this as a parallel case, because they protested against being considered as interfering between those two countries; and that, in point of fact, neither of the belligerent powers regarded the circumstance of British subjects being in the service of the other as in any degree a departure from that neutrality which England was bound to observe. And he must also state, that the fact of the service of English subjects in the fleet of Don Pedro, unless that service took place under the provisions of the Foreign Enlistment Act, by the license of the British Government, ought not to be regarded as a breach of the neutrality which England desired to observe between the two parties now about to contend in Portugal; and he need not say, that no such licence had ever been given. When it was stated by the hon. and learned Gentleman that, by the old law of this country, the King had a right to prevent his subjects from quitting his dominions, and to recall them on their allegiance, when they had quitted, he must remember that it was to the practice and actual operation of the law, and not to any theoretical principle which it might embrace, and which he knew had fallen into disuse, that Government must direct its attention. The right hon. Gentleman said, that, under these circumstances, he did not see how this country could justly complain if Spain were to take part in the contest which was now carried on between Portugal and Don Pedro. He protested, that there did not appear to him to be any possible analogy between the case stated, of Don Pedro purchasing ships in this country, and that of Spain marching an army to interfere in the affairs of the Portuguese. He would beg the right hon. Gentleman to recollect what was the view which the Government of which he was a Member took of the interference of Spain with the internal affairs of Portugal, and whether the Government of which he was a Member, did not declare to the Spanish government, through their minister at Madrid, that they looked upon such conduct as contrary to that neutrality which England was bound to see observed by Spain towards Portugal in relation to her internal affairs. His right hon. friend asked him, what answer he should make to Spain, if Spain should say that our conduct was, in the opinion of that power, such a breach of neutrality as to justify her in taking part on behalf of Don Miguel? His answer would be, that England intended to remain neutral so long as every other country did the same; but should any other power interfere with the internal affairs of Portugal, then England would be released from the obligation of observing that strict neutrality which she was now anxious to maintain, and our future course would be determined by what the interest and honour of this country might dictate; and that it was not improbable a due regard to those objects might compel Government to take part in the conflict on behalf of the other contending Power. He was not aware that he had omitted to notice any material point stated by the hon. Gentleman on the other side of the House; and should, therefore, sit down, begging, however, first, to congratulate the noble Lord on having, upon so slight a question, produced a debate of so many hours' continuance.

Sir *Richard Vyvyan*, so far from bein sorry that this discussion had taken place rejoiced that this subject had been brough forward. He would, however, conten himself with noticing the inconsistency o the Government in practising violent interference in the case of Italy, Holland an Belgium, and refusing to interfere at al tween Don Pedro and Don Miguel, even ough an expedition was fitted out, or, as lowed by the noble Lord, all the mateals for one collected in this country to sist one of the parties.

Mr. *Baring*, in explanation, said, in that rt of Belgium where the Dutch language as spoken, they found great difficulty in eping down the feeling in favour of the ouse of Orange. That fact showed that was not likely the new kingdom of Belum would hold long together, and, therere, he thought it would have been better have assigned Maestricht to Prussia, landers to Holland, and have given rance a part, rather than allow her to vallow up the whole. As to the increase territory that had been given to Holland, the Treaty of Vienna, Luxemburg and emburgh were assigned to the Prince of range, in lieu of his principality of Nasu, and those territories were considered his appanage, and not to belong to the ate of Holland, so much so, indeed, that ey were actually settled upon the king Holland's second son. With respect to e rivers, the Treaty of Vienna did not rer to the canals at all, and, therefore, the ttlement relating to them entirely grew it of the late conferences, and was most nproper, inasmuch as the principal of the dependence of Holland was violated by lowing another state to have free navigaon through its territories.

Lord *Palmerston* begged to be allowed remark, that, what the hon. Member illed a canal was a salt-water channel, and as one of the branches by which the wars of the Rhine were discharged into the a.

Sir *Robert Peel* said, his noble friend ad raised a new question, but into that he ould not enter at present. He rose chiefly say, that he was surprised to hear his oble friend taunt him for not giving the ames of officers who had taken part in the xpedition. He had given the name of aptain Sartorius, whose case was notoriis. He did not name others, from a wish ot to prejudice them, but had merely said, a general way, that the Ministers ought withdraw all officers from the contest. n his opinion it was not right that British fficers should be employed against each her, or against those Portuguese with hom they had fought the battle of liberty. he noble Lord had alluded to the conduct the Spanish government in respect of e encouragement given to Portuguese regees. The complaint against Spain was, that she had suffered those persons to assemble on her frontier, which gave them an opportunity to attack Portugal. In that instance, neutrality was insisted upon. He felt himself compelled, under a sense of justice, to say, if this Government had not the power to prevent the fitting out of vessels forming an expedition to sail from our ports for Portugal, it would be hard to say Spain must be wrong in taking part with those who were disposed to assist Don Miguel. The question was, whether four ships of war forming an expedition against Don Miguel should be allowed to sail with troops from a British port against a friendly power? He never could consider such a license right, and every one of the arguments urged in support of that transaction had, in his opinion, entirely failed.

Colonel *Evans* assured the right hon. Baronet that every one of those ships which sailed from England were chartered for French ports. The ship Asia did not go armed from this country. It was true that another ship sailed with arms, which at sea were put on board the Asia, but it was a transaction over which the Government had no control. There had been no contravention of neutrality in a British port. Moreover he thought the right hon. Baronet should have added to his list the names of such British officers as were receiving pay and emoluments in the service of Don Miguel.

Sir *Robert Peel* was ready to admit that if there were any British military officers in Portugal receiving pay in the service of Don Miguel they ought to be named, as well as British naval officers in the service of Don Pedro. He had heard only of Major General Sir John Campbell, and that officer had given up his rank in the British army. The officers of both services should be treated alike.

Colonel *Evans* had heard of other officers receiving pay and emoluments from Don Miguel.

Sir *Charles Wetherell* said, in his opinion, cutting the expedition in two parts as had been described by the hon. and gallant Officer, was an evasion of the Enlistment Act.

Mr. *Attwood* had no doubt precautions were taken by his Majesty's Government with respect to the examination of some of the vessels forming the expedition. He did not doubt they appeared to be destined to Belleisle; but the question was, whether the Government should not have interfered to prevent a breach of neutrality? The noble Lord had said, there were no more men on board than were necessary to navigate the vessels. If such a report had been made the Custom House officer had examined the wrong vessels. He knew that one vessel sailed from the Thames with many more men than were necessary to navigate the vessel, and that vessel sailed with the expedition to Portugal. The fact was notorious, and well known to all the merchants of London. It could not be denied that an expedition did sail from a British port, and when it was said the Government could not interfere, it was an admission that the same thing might be done again with impunity. The independence of Holland, or any other state, was consequently open at all times to violation. An expedition conducted upon the same plan might on any future occasion leave our ports to annoy friendly states. He was not disposed to enter further into the question, but the transaction appeared to him one in which the Government had connived at a breach of neutrality.

Lord *Eliot* replied. He contended that the noble Lord had given no answer to several of the points connected with foreign policy which he had endeavoured to impress upon the attention of the House; first, with regard to Italy no doubt could be entertained of the intention of employing force when the expedition went to Ancona, for the French troops were prepared with scaling ladders; and they hoisted the tricoloured flag on taking possession of the place. This was certainly an extraordinary way for one friendly power to render assistance to another. Moreover, the noble Lord had not touched on the question of the Belgian fortresses. The whole of the fortresses to be destroyed were on the French frontier, but that circumstance had been entirely evaded by him. Again the noble Lord had treated the navigation of the internal waters between the two countries of Belgium and Holland very lightly, when the subject was deemed of such importance to Holland that there was an article in the treaty of Munster, expressly recognizing her exclusive right, and the inhabitants of the Spanish Netherlands were, by that treaty, precluded from navigating those waters. The question of violation of neutrality had been so often discussed and proved to be a deviation from sound policy, that he was astonished to find the noble Lord treat it as a matter in which a few solitary English seamen had been employed. It was unlike the case of the war between Brazil and Buenos Ayres. An expedition consisting of 4,000 men, with ships and equipments, was no light transaction passing under the observation of Government. It could be nothing less than an evasion of the Enlistment Act. With regard to the speech of the French minister, it was not to be taken as containing sentiments or expressions falling out in the heat of debate. He went to the tribune with a written speech in his hand, in which every principle and every word had been weighed; and it was, therefore, open to be considered as the deliberate manifesto of the French government. He regretted that the noble Lord should have made the remarks he had made with respect to Spain, for every impartial man must see that the government of that country, had a right to protect itself against a blow aimed at it through the invasion of Portugal, for it was notoriously a part of Don Pedro's plan to unite the two crowns of the Peninsula on his own head. He did not regret having occupied the time of the House with the subject, for, at all events, if the debate that had arisen had done no other good, it had elicited the eloquent speech of the right hon. member for Tamworth, which was unanswered, and, in his opinion was unanswerable.

SUPPLY—NAVY ESTIMATES.] Sir *James Graham* said, that he hardly knew how to proceed, whether to bring on the Navy Estimates, which were yet unvoted, at that hour, as, in case any discussion were to take place, it might be so much protracted as to render it scarcely worth while to trouble the House to go into Committee, or to postpone the subject till another day.

Sir *George Cockburn* begged to assure the right hon. Baronet that no opposition calculated to retard the vote would be offered either on his part, or on the part of those hon. Members who sat near him.

The House then resolved into a Committee of Supply.

On the Motion of Sir James Graham, that a sum not exceeding 72,000*l.* be granted to his Majesty for the purpose of defraying the wages of men and other expenses attendant on the ships laid up in ordinary,

Sir *George Clerk* said, he did not mean to object to the vote, but, he thought, the sum required was not sufficient for the service required. Two items which formerly used to be included in this vote, were now transferred to another part of the Estimates, but, after deducting them, the reduction was still very considerable. It had been found necessary of late years to increase the amount per man, and the right hon. Baronet had pursued the same course last year, and he, therefore, doubted the propriety of reducing the amount at present. He was aware of the right hon. Baronet's anxiety to reduce the expenditure to the lowest possible point, but, he had no fund in store for this especial purpose, as he had with regard to timber and provisions, and, as the expenditure for last year had amounted to 1,077,000*l.* and the right hon. Baronet had only voted 894,000*l.* for the present year he feared he might fall short; and, if he did on this point—of the payment of seamen's wages—he could have no other resource than to resort to the same practice he had so much condemned in his predecessors by appropriating money voted for one branch of the naval service to some other.

Sir *James Graham* said, after very fully considering the subject, he was confident the sum he asked for, was sufficient for the service required, the principle on which the Estimate was made was, to calculate the number of officers and men employed in the different rates of ships, the number of those ships and the amount of wages in each rate for thirteen lunar months.

Vote agreed to, as were the following, 42,269*l.* 11*s.* 1*d.* for the salaries of officers, and the contingent expenses of the Admiralty.

30,356*l.* for salaries of officers and contingent expenses of the Navy Pay Office.

20,051*l.* for the salaries of officers and contingent expenses of the scientific department of the Navy.

Upon the grant of 72,224*l.* for the salaries of officers and contingent expenses in his Majesty's yards at home being moved,

Sir *George Clerk* said, that, as he considered some of the reductions of the right hon. Baronet to have been carried too far to benefit the public service, he would point out an instance in which that effect would be produced; he meant the abolition of the Deptford dock-yard. He believed that the entire removal of that establishment would be an injury to the public service, as it had afforded a convenient means of inspecting all the articles supplied to the service by contract before they were sent out. These must now be sent at once to the different yards, where they were wanted, and as had formerly been the case, they would be often found of inferior quality. If the right hon. Baronet would take the trouble to inquire he would find that where contractors had been allowed to supply articles at the out-stations, such as clothing, or other articles in which the quality varied, without first having them passed through the dépôt at Deptford yard, to ascertain their proper quality, they were often found not answerable to contract and were consequently, rejected. For this a limited establishment was kept up, and was of great value in securing the efficiency of the supply to the service. With regard to the other reductions, the right hon. Baronet claimed to have made, the former practice was, to have a master at the head of each trade, who was answerable for the goodness of the workmanship, these persons were paid about 200*l.* a-year, but the right hon. Baronet had superannuated them at about 120*l.* a-year and upwards, and had employed foremen in their stead at about 100*l.* a-year. So that there was actually a loss to the public, besides the chance of not having the work so well done.

Sir *James Graham* said, that all hope of reduction was at an end if the present vote was opposed. He begged to remind the hon. Baronet that Woolwich, being within three miles of Deptford, was just as convenient a receiving yard as the latter, and by making it such, a great saving was made. As to the substituting foremen for masters, a reduction of expense would be caused alternately, and there would be no deterioration in the quality of the work done.

Mr. *Hume* suggested that Pembroke dock-yard should be put down. We had no occasion to build ships, as we had already more ships than we could man, even in case of war.

Sir *George Cockburn* was convinced of the propriety of keeping up Pembroke dock-yard: it was a cheap yard, where timber could be had on the best terms, and from which ships could be launched at once into deep water. He denied that we had more ships in ordinary than we could man in time of war.

Mr. *Hume* said, it was a waste of the public money to go on constructing ships for no other purpose but to be left to rot in time of peace.

Sir *James Graham* said, that the best way of preserving peace was to be prepared for war; and it was necessary for the safety of the country that the power of the navy should be kept up.

Sir *George Cockburn* said, that any one holding the responsibility of the First Lord of the Admiralty must feel the necessity of keeping up a sufficient navy to maintain the power of this great maritime country at the breaking out of war. If the hon. Member supposed that, in the event of a sudden war, the having a sum of money ready would command a navy he was greatly mistaken.

Vote agreed to as were the following:—

17,116*l.* for the salaries and contingent expenses of officers in his Majesty's yards abroad.

401,492*l.* 9*s.* for the wages of of artificers and labourers employed in the dock-yards at home and abroad.

On the sum of 457,207*l.* for the purchase of timber for the building, repairing, and outfitting of ships, wharfs, docks, &c., being proposed,

Mr. *Hume* said, several frigates had been recently sold from the public service but only on condition of their being broken up. He was assured these vessels would have realized more if that condition had not been attached to the sale, and, he begged, therefore, to know the reason of this proceeding. Surely it arose from no absurd apprehension of these ships being brought against us, in the event of any future war.

Sir *James Graham* assured his hon. friend, it was from no such fear that the condition was imposed, but it was necessary to prevent frauds being committed on the public stores, particularly in the article of copper. These articles were all duly marked, and if they were left in ships after they had been sold from the service of the Crown, they might be made a plea to cover the obtaining such articles surreptitiously from the dock-yards, which would most likely occasion a greater loss than the difference in the value of the ships sold, could make up.

Vote agreed to.

Upon the vote of 77,000*l.* for the charge of repairs and improvements of his Majesty's yards at home and abroad,

Sir *George Cockburn* thought that the sum of 30,000*l.* included in this vote for the building of docks at Woolwich, was unnecessary. He, therefore, recommended the right hon. Baronet to consider whether that expense could not be saved. At the same time, he must say, he approved of the other work proposed for that dock-yard, namely, the making straight the river wall. He had doubts, however, as to the propriety of making Woolwich a large dépôt. It was entirely overlooked by the adjacent town, and thereby afforded facilities for any evil-disposed person to throw firebrands into it, besides there was shoal water off the yard, which would make it inconvenient for repairing large ships.

Sir *James Graham* said, that he had considered the subject, and was satisfied that the sum would be well laid out. The use of steam-vessels must be adopted in our navy, and they were now constructing vessels of that description of a large size, and as the machinery was all to be got from London, it would be highly advantageous that the vessels should be built and repaired at Woolwich.

Sir *Byam Martin* recommended the right hon. Baronet to postpone his determination for another year, and not to build more docks, of which he thought there were quite sufficient, particularly as a patent had been obtained for a slip in which ships could be hauled up for repair.

Mr. *Hume* thought the vote ought to be withdrawn after what the Committee had heard from the two right hon. Baronets. The Admiralty had already expended large sums for building and repairing docks at Chatham, and other places, which he had objected to when the vote was proposed, and it now appeared, a new plan had been brought forward, by which they were likely to be rendered useless.

Sir *James Graham* said, he understood the patent slip alluded to by the right hon. Baronet could not be made applicable for steam-vessels of 800 tons, such as they were now building.

Sir *George Clerk* understood quite the contrary, his information went to the extent of showing that vessels of 1,000 tons might be hauled up in Mr. Moreton's patent slip, therefore, he was convinced the proposed new docks were unnecessary.

Mr. *Warburton* thought the House should be put in possession of the probable expense of erecting new docks, instead of repairing the old ones, before they sanctioned this vote, which was only for one of these docks, and would be followed next year by a similar application to the extent of 100,000*l.* for the two other docks.

Sir *James Graham* said his great object in proposing the building of these docks was to ensure facilities for building and repairing steam-vessels, which were likely hereafter to form a very important part of our naval force. He would, however, acquiesce in the proposal of the hon. member for Bridport, and consent to lower in the present instance this estimate, to the extent of the 30,000*l.* intended for this dock, and prepare an estimate of the comparative expense of repairing the old, or constructing new docks, for the consideration of Parliament.

Vote for 47,000*l.* agreed to, as was 38,980*l.* to defray the charges of pilotage, and other contingencies.

The question being put, that a sum of 21,953*l.* 10*s.* be granted for expense of troop ships,

Sir *George Clerk* begged to be informed whether any person was to have the examination of vessels hired for transports, before they were taken into the public service? It was of the utmost importance that their quality and fitness should be duly ascertained before they were engaged.

Sir *James Graham* said, there was a proper person at Woolwich appointed to perform that duty.

Mr. Alderman *Thompson* could not approve of the practice of employing the public ships as transports upon any occasion. Such a plan had been recently adopted in several instances, under the pretence that they were larger and of greater capacity to accommodate troops than private vessels, but, he understood, the fact was not so to any great extent, and he had reason to believe it was made up by increased expense. It was well known, that many private vessels of large burthen, which would answer the purpose very well, and were now doing nothing, might be had at the small charge of 12*s.* per ton, and in the depressed state of the shipping interest they ought to be employed.

Sir *James Graham* assured the worthy Alderman, that both from duty and inclination, he was extremely desirous to assist the shipping interest, as he was convinced private vessels formed the best school to educate seamen. He must, therefore, beg leave to tell him there was no intention to employ more than two public ships of large capacity calculated to carry a regiment of cavalry and their horses at once, and the exigences of the public service required such an arrangement.

Vote agreed to, as were 18,520*l.* for hire, &c. of packets, and of 785,507*l.* 16*s.* 4*d.* to defray half-pay, &c. of naval officers; 253,525*l.* 3*s.* 4*d.* for pensions to naval officers, &c.; 1,300*l.* charge for bounty to chaplains.

On the Motion that 250,000*l.* be granted for the payment of the out-pensioners of Greenwich Hospital,

Mr. *Hume* said, there was an increase in the amount of this charge, which, he wished should be accounted for.

Sir *James Graham* said, the charge was increased apparently in consequence of a larger sum being claimed last year by 5,000*l.* than the year before for arrears of prize money, but, in point of fact, the charge was reduced 4,200*l.*

Colonel *Sibthorp* said, he would take that opportunity to notice that great complaints were made of the difficulty the relatives of sailors experienced in recovering arrears of prize money. He understood that, unless proof of death could be procured, fifteen years must elapse before the money was paid over.

Sir *George Cockburn* said, the time was six years, but the Admiralty had the power to abridge the period when they saw occasion, but, it was necessary to exercise the greatest caution as constant attempts were made to commit frauds.

Vote agreed to.

On the motion that 157,002*l.* 7*s.* be granted for superannuations to commissioners and persons formerly employed in the civil departments of the navy,

Mr. *Hume* said, that superannuations in these departments were carried to much too great an extent, persons were pensioned after a few years' service, who had no claim. He did hope the matter would be looked into by those in office, or he should be compelled to further notice it.

Vote agreed to, as was 1,500*l.* to defray the charges of the freight of ships for the conveyance of passengers and stores for the Colonial Department; and also the following votes:—88,525*l.* for the transport of convicts; 421,200*l.* for the victualling of 27,000 men employed in the navy for one year; 48,977*l.* 4*s.* 9*d.* for the salaries of officers and contingent expenses of the victualling yards; 24,905*l.* 14*s.* for the expense of naval and medical establishments; 50,105*l.* 14*s.* for medical stores, &c.; 29,347*l.* 10*s.* for provision of officers and ships laid up in ordinary; 8,970*l.* for charge of provision, &c., for men in different yards on service afloat; 29,168*l.* 1*s.* 6*d.* for the charge of marines on shore; 34,283*l.* for half-pay pensions and superannuations of the victualling, medical, and transport departments; 150,000*l.* for provisions of troops and convicts proceeding to, or returning from foreign stations.

House resumed, Committee to sit again.

* * *

HOUSE OF LORDS,

Tuesday, March 27, 1832.

Minutes.] Petitions presented. By Lord King, from the Parish of Stoke Damarel, Devon, for an alteration of the Law relative to the purchase of Lands for Burial Grounds, from the Landholders of Drumconrath, Ardagh, Zouchbracan and Rower, for the Abolition of Tithes and Church Cess:—By the Earl of Radnor, from Gormanstown, for the Abolition of Tithes:—By the Bishop of Exeter, from Dorkington, against the New Irish Education System:—By the Earl of Errol, from Freeholders of the County of Aberdeen, in favour of the Reform Bill:—By the Earl of Roden, from Sherborne, Market Raisin, Brigg, Barton, Castor, Kirtin, and Winterton, against the New System of Education in Ireland:—By the Archbishop of Canterbury, from Canterbury and its vicinity, against Overworking of Children in Factories.

Pluralities Bill.] On the Motion of the Archbishop of Canterbury, the House resolved itself into a Committee on the Pluralities Bill.

The first clause having been agreed to, on the question of the second clause, which enacts, "that no person shall hold together two Deaneries, Prebends, Canonries, or other dignities, &c."

Lord *Suffield* said, he objected to the clause, because it left a door open to great abuses, which existed at present and would be left untouched by the Bill, and which might for all its enactments increase hereafter, he meant the power to grant livings *in commendam.* He begged to assure their Lordships that, while he made these objections his only object was to cleanse the Church from abuses, and not to prevent the ministers of that Church having a fair, ample, and liberal remuneration for their services. He wished that the right Reverend Prelates should enjoy all those comforts, which from their situations in life, and their high stations in the Church and in society, they were fully entitled to; but he objected to the practice of making their revenues adequate by granting livings *in commendam,* to be holden with their sees—a practice which though it had prevailed hitherto, was in his opinion so great an abuse, that it ought not to be tolerated in future. Means ought to be taken for making a due and proper provision for right Reverend persons, without their being permitted to hold livings, with the cure of souls attached to them. As an illustration of his present argument he would state a case:—There was at that moment a right Reverend Prelate, who in addition to his bishopric, held a deanery—the vicarage of a very populous parish, comprising two districts—a rectory—and a perpetual curacy; and yet, with all these advantages, he was said to be a poor Bishop. For that individual he entertained the highest possible respect and regard. He put it to their Lordships, whether this was a proper way of providing for the higher dignitaries of the Church—to admit of a right Reverend Prelate's being, at one and the same time, a Bishop, dean, rector, vicar, and perpetual curate? Was it possible, that he could discharge all the duties of these various capacities? He adduced this case, for the purpose of showing the ground on which he objected to livings being held *in commendam;* and his objection to this clause was, that it said nothing about the practice—it did not prohibit, it rather permitted livings to be held *in commendam,* because, in point of fact, it was a general restraining clause in all other cases, reserving only, in the certain exceptions set forth, a power to the Archbishop to dispense with the operation of the Bill to a certain extent. He would trouble their Lordships with the recital of one other case of abuse, arising from the circumstance of a dignitary of the Church being permitted to hold a living with the cure of souls. The case occurred within the diocese of a right Reverend Prelate whom he had now the pleasure to see in the House, and he appealed to him for the correctness of the statement. A Reverend Doctor of Divinity was in possession of a living, with a cure of souls; the population of his parish was 120,000. He was appointed prebendary of a cathedral, by the late Lord Liverpool; and in 1829, he resorted to his prebendal stall for eighteen months, leaving his 120,000 parishioners to take care of themselves. During the whole of that eighteen months, he resided in his parish for three days only. He believed, indeed, that he had more than his regular duty to perform while he was absent from his living, because he understood that he acted as dean, in consequence of the continued indisposition of that functionary; but that circumstance had nothing to do with his objection to the principle of this practice; for here was a prebend of a cathedral neglecting his more important duties as rector of a parish, comprising a population of 120,000 souls, for no less a period than eighteen months. Finally, he objected to this clause, because it did not notice *commendams,* which he considered a most objectionable mode of payment to those right Reverend Prelates who were in possession of them. He should move the Amendments which he on a former occasion submitted to their Lordships.

The Bishop of *London* thought he had it in his power to offer a satisfactory explanation of the case referred to by the noble Lord. The clergyman in question was preferred to the parish of Marylebone by the late Lord Liverpool, and, after discharging his duty there most faithfully for some years, another Minister of the Crown presented to him a prebend's stall in Canterbury. It appeared that the prebends in that see were compelled to discharge certain duties which required their constant residence in Canterbury during one year; and it was true that the clergyman alluded to did find himself obliged to absent himself from his large benefice in London for more than twelve months. He was ready to admit that there was a great deal of inconvenience in such cases, and he was not one to sanction a clergyman having the cure of souls absenting himself from his parish for any other duty or dignity which called for his residence for so long a period. But, at the same time, he wished to state that the incumbent had the charge not of 120,000 souls, nor of more than one-fifth of that number—five churches being now in that district; and that while he was absent he took care to supply his place by two or three most efficient and worthy clergymen. As he said before he did not approve of cases like this; and he agreed with the noble Lord that such anomalies in the Church should be corrected. Some regulations might, he thought be made, which, though not going the length of altering the law with respect to the holding of livings *in commendam*, would get rid of inconveniences in other respects. While he was on his legs, he would wish to reply to a remark made by a noble Baron on a former occasion, in which it was insinuated that the Bishops were doing nothing for the smaller clergy, while they were pressing on them by this Bill, and in other shapes. The noble Baron forgot that a Bill was introduced last year for the augmentation of small livings, and he knew that the best effects were experienced from it, and he could point out Reverend Prelates who since the Bill, had increased all the small benefices in their dioceses.

Lord *Suffield* had heard with satisfaction the explanation given by the right Reverend Prelate. He gave the right Reverend Prelate credit for his declaration that *commendams* or other privileges which were permitted by this Bill should not be abused. But this was a Bill which, professing to destroy pluralities, and going forth to the public as an Act for that especial purpose, would, in point of fact, permit their continuance. He was convinced the right Reverend Prelates would not abuse the extensive power vested in them; but he was afraid, that the Bill would create doubts in the public mind, as to the sincerity of the promoters of the measure; and it was from an anxious wish to uphold and support the character of the Church with the public, that he called upon the right Reverend Bench to adopt the Amendments which he had considered it his duty to propose.

The Archbishop of *Canterbury* said, that the circumstance alluded to took place after he ceased to be Bishop of London, but he thought he might throw some additional light on the subject. The clergyman in question was a man of the highest character, who had been loved and respected at Birmingham, where he acted as Minister for some years. The Earl of Liverpool, without any knowledge of Dr. Spry, and merely from the report of his excellent qualities, after a consultation with him (the Archbishop of Canterbury), who also knew Dr. Spry only by reputation, presented him with the living of Marylebone. He could only say that it could not be better bestowed. Soon after, the successor of the Earl, a noble Duke opposite, bestowed on the Reverend gentleman a prebend's stall in Canterbury, and here he also thought that the dignity could not be better conferred. Such were the facts; and if any clergyman's merit claimed an exemption from the strict rule, it was that of the Reverend gentleman. He wished now to say one or two words with regard to the Bill. The noble Lord said, that as cases of livings held *in commendam* were not included within the Bill, it was a deception on the public, and only opened the door to fresh abuses; but, in reply, he would only repeat that it left the law in the same state as it found it, and that, in his opinion, it was not worth while legislating for four or five benefices. Besides, the bestowing of livings *in commendam* was the King's prerogative, and he was not the person, in any bill introduced by him, to attempt to abridge it; and some livings were, by immemorial custom and Act of Parliament, given to poor dignitaries.

Lord *Suffield* trusted their Lordships would permit him to observe, that he had no intention whatever that his amendments should operate *ex post facto*. He begged to read that which related to the incomes of the Bishops—' Provided always, and ' be it further enacted, that it shall and ' may be lawful for any Archbishop or ' Bishop—the revenue of whose diocese ' shall not exceed 3,500*l.* per annum, to ' hold, *in commendam*, any dignity, or ec- ' clesiastical preferment, without cure of ' souls, provided the gross annual value ' thereof, together with the revenues of his ' diocese, shall not amount to more than ' 4,000*l.* annually, or that he shall collect ' the surplus, if any, and pay it over to the ' governors of Queen Anne's Bounty, to be ' by them appropriated, with the sanction ' of the Archbishop of Canterbury, to the ' augmentation of bishoprics under the ' annual value of 3,500*l.*' He begged further to remark, that he had no desire to limit the incomes of the Bishops to the sum he had mentioned. He had merely used it as an illustration of his meaning, he was quite ready to leave a blank for the sum, to be filled up at the discretion of their Lordships.

Lord *King* thought it no palliation of the abuse that it was old and customary. The law gave the power to Bishops to compel rectors to make a reasonable allowance to the clergymen who officiated for them; but that did not extend to collegiate bodies. If the right Reverend Prelate (the Bishop of London) admitted that the case of the metropolitan rector was a gross one, which was not likely to occur again, he would discuss that point no further. It appeared that there were two sorts of livings held by Bishops—one kind *in commendam*; the other was attached to sees, and held by immemorial usage. He thought the latter equally objectionable with the former. He must complain of the mode in which curates were paid by collegiate and other ecclesiastical bodies. When they performed the duty for such bodies, in rich livings, they were worse paid than by individual rectors. As an illustration of the system, he might revert to the petition he had presented in behalf of a curate in a parish belonging to the vicars-choral of Exeter, from whence they drew an income of 600*l.* or 700*l.* a-year, and allowed the officiating clergyman only 50*l.* or 60*l.* a-year. He must further express his surprise at an objection of the most Reverend Prelate (the Archbishop of Canterbury) on the score of the royal prerogative in the matter of *commendams*. Such an objection, he contended, could only be based upon the principle that the King could do no wrong.

The Bishop of *Exeter* was glad that the noble Baron had made an allusion to the petition, relative to the vicars-choral of Exeter as it enabled him to state the real facts of the case. The petition, if he recollected right, stated that, in a parish held by the vicars-choral of Exeter, the revenue of which was 600*l.* a-year, the officiating clergyman only received 50*l.* a-year. It was evident, when the noble Lord made that statement from the petition, that he had not taken the trouble to inquire into its truth. He had, however, taken some pains to ascertain the facts, and he was prepared at the close of the last Session with an explanatory petition from the persons whose characters were attacked, but was prevented from presenting it by the sudden termination of the Session. In it the vicars-choral alleged that they received but one-third of the sum stated, and that the clergyman received double what was named as the extent of his remuneration. It was also alleged that the clergyman made no complaint; and he wrote a letter to the vicars-choral, stating that he was not aware of the petition that had been sent forward, and that he was no party to it. He was sure it would give their Lordships pleasure to hear that the amount received by the clergyman was double the sum stated in the petition. Though he received but 50*l.* or 60*l.* from the Choral Fund, the parish made up his salary to 100*l.* and the vicars-choral had since raised it to 150*l.* This, he thought, was quite right, as in his opinion it would be wrong if the clergyman who did the duty did not receive as much at least as the stipendiary clergyman to whom the living belonged.

Lord *King* said, that the evil of the case was evident. If there had been no Choral Fund, and if the parish had been held by a rector, the officiating clergyman would have the power of enforcing a suitable remuneration. What were the facts? Why, the Reverend Prelate made out no better case than that the clergyman received 50*l.* or 60*l.* from the Choral Fund, and that the rest was made up by the parish. This he supposed was the case in many other instances. It proved very little for these public bodies, and the best defence which the Reverend Prelate offered for the vicars-choral was, that after the matter was exposed they thought proper to advance the scale of remuneration. He did not say when he presented the petition, that he appeared on behalf of the clergyman, it was the parishioners who sent forward the petition, and who complained that the large sum taken from them in tithes did not go to the officiating minister. Instead of having been answered by the Reverend Prelate, he felt that he could not have had a better or a stronger case.

The Bishop of *Exeter* wished to set the noble Lord right. The person on whose account the noble Baron spoke did not receive one shilling from the tithes.

The Bishop of *London* must protest against its being imputed that he said the case of Dr. Spry was a gross one. He did not state any such thing, as it was a case of only one year's continuance, which was not likely to happen again.

Lord *King* said, it was true that the case would not occur again to Dr. Spry, but it was possible that it might to the next rector. He again repeated, with regard to the Exeter case, that he was not the advocate of the clergyman, but of the parish, who complained that they paid tithes which were not given to the officiating minister.

The Earl of *Harrowby* thought it extremely premature for noble Lords to go further than the particular point to which this Bill was directed. They would hereafter have a full opportunity of considering further regulations for the management of the revenues of the Church. There were upwards of 2,200 places deprived of the benefit of resident incumbents in consequence of the system of pluralities. That evil would be very much diminished by this Bill, though not, he feared, to the extent which the right Reverend Prelate who had brought forward the measure anticipated. With respect to the dignitaries of the Church holding livings, nothing, in his opinion, would be more injurious to the Church than the prohibition of this description of pluralities. At present he objected to all the amendments proposed by the noble Baron. Some of them might, perhaps, be entertained by the House at a future period, but they could not with propriety be incorporated in the present Bill. He must further observe that in his opinion, the persons who enjoyed the great tithes ought to make due provision for the performance of the parochial duties; and with regard to pluralities in general, he thought it would be a great improvement upon the present system, or even upon that which the noble Lord intended to introduce, if certain small Church preferments, without cure of souls, were permanently added to extensive parishes in which there were heavy duties to perform.

The Archbishop of *Canterbury* admitted that there were great abuses on the part of impropriate rectors, both lay and ecclesiastical; and, he should certainly not be opposed to any reasonable plan for remedying those abuses.

Lord *Suffield* contended, that they were proceeding to legislate upon very imperfect information, and that, therefore, their legislation must be imperfect and insufficient. He should be quite ready, then, to give up his amendments if he could look forward to any assignable period at which a remedy might be introduced for the evils acknowledged to exist. He really thought that, without that knowledge which the House ought to have upon such a subject, it would be in the highest degree unwise on their part to proceed further; and he, therefore, recommended the most rev. Prelate to withdraw his Bill for the present, and bring it forward again in a more complete shape, when sufficient information was before the House.

The Duke of *Wellington* thought the present measure well deserving of support, and that it went as far as any measure of the description ought to go, under the present circumstances. The Church, it must be remembered, was in a very anomalous situation. There were some Bishops who had not above 800*l.* a-year, and he believed he might name one whose bishopric was not worth more than 500*l.* a-year. It was the object of one of the noble Lord's Amendments to make the incomes of the Bishops 3,500*l.* a-year. He wished to know whether this was to be the *maximum* or the *minimum* of the Bishops' incomes? The Bishops had many heavy expenses; and, it was necessary, for the dignity of the national Establishment, that they and their families should be supported in a state of respectability. Some discretion, therefore, should be left in the Crown as to the disposal of Church patronage. He, therefore, entirely dissented from the noble Lord in thinking that the House could, with propriety, fix the amount which a Bishop should enjoy. Their Lordships could not undertake to say, that 3,500*l.* would be too much or too little for a Bishop—the Crown alone was the fitting judge. As to a Bishop's holding a living, with the cure of souls attached, *in commendam*, he was not prepared to advocate the practice; but, he believed, it would be impossible to provide adequately for those holding poor bishoprics, unless they were allowed to hold livings *in commendam*. The object of the most rev. Prelate in this Bill, if he understood it rightly, was, to put under strict regulations the grant of pluralities. Under those circumstances, he hoped the noble Lords opposite would allow the Bill to go through the Committee, which need not prevent them from bringing forward other propositions connected with the subject hereafter.

The Earl of *Winchilsea* supported the Bill, and took this opportunity of returning thanks to the most rev. Prelate (the Archbishop of Canterbury) for the liberality which he had evinced by the sacrifice of his own patronage for the purpose of augmenting the incomes of the poorer class of incumbents. He was himself lay impropriator of a parish which contained nearly 2,000 inhabitants, and extended over 8,000 or 10,000 acres of land, and yet the stipend of the parochial clergyman was only 20*l.* a-year He should be very glad to follow the most rev. Prelate's example, and to support any measure which would compel lay impropriators to provide adequate incomes for those who performed the ecclesiastical duties in those parishes, the tithes of which were payable to laymen.

Earl *Grey* deprecated the discussing in Committee the general principle of the measure. It was expedient to confine the discussion as much as possible to the clauses before the House. He proposed to follow that course, and would, therefore, say that, in his opinion, the Bill related to a subject of great importance, and that the most rev. Prelate was deserving of thanks for introducing a measure which every one must admit to be an improvement, although some of his noble friends did not think it went far enough. Be this as it might, he agreed with those who thought that the present was not a convenient opportunity to introduce more extensive alterations; and, believing the Bill to be useful, as far as it went, it should have his support. He hoped, under those circumstances, that his noble friend (Lord Suffield) would reserve his Amendments until the whole subject came to be considered. As something had been said as to the prerogative of the Crown in reference to this subject, he thought it his duty to state, that his Majesty had given his assent to the measure now proposed; but his Majesty's pleasure had not been taken on the amendments suggested by his noble friend: some technical difficulty would arise, therefore, if they should be pressed.

Lord *Suffield* said, that, after the technical difficulty which the noble Earl had stated stood in his way, he felt himself relieved from the duty he had imposed on himself of bringing forward certain of the amendments to which he had previously referred. He had two objects in view—and if the most rev. Prelate would have acquiesced in his suggestions on those two points, he should most willingly have withdrawn his amendments. The first object which he wished to effect was, the removal of that part of the Bill which allowed pluralities to be held by new holders; and the second object was, to throw the whole responsibility of granting dispensations to hold pluralities on the Archbishop, as the Bill went to divide the responsibility—and every one knew that divided responsibility was never good for much. After the objection stated by the noble Earl at the head of the Government, he should not trouble their Lordships with the amendments he had intended to bring forward.

Lord *King* thought this measure so very imperfect that it would be better to stop it than allow it to go on. He sincerely believed that the *minimum* of improvement which this Bill could effect would rather be injurious to the interests of the Church, and that it would be more advantageous, upon every ground, that the Bill should be withdrawn, and a measure of more extensive improvement substituted. Having said so much on the general question, he should only observe, in reference to the details, that, as it was said there must be great prizes in the Church, it would be much better that those prizes should be bestowed on persons of great merit. He should, therefore, suggest, that the Archbishops should have the right to bestow those prizes on persons who had obtained, not merely the highest degrees in the Universities of Oxford and Cambridge, but also the highest honours—such as that of Senior Wrangler, for instance.

The original clause was then agreed to, as were the three next clauses.

On the clause enacting that clergymen might hold two livings conjointly, provided they were not distant more than thirty miles from each other,

Lord *King* proposed the omission of the whole clause. The holding more livings than one by the same incumbent was an abuse introduced by the Church of Rome, and it was a disgrace to the Church of England to have followed so bad an example. His object was, to revert to the old canon law, which prohibited pluralities altogether.

Lord *Suffield* said, that holding benefices together, within a distance of thirty miles, was just as objectionable, in point of principle, as holding them within a distance of 100 miles. He moved, that no two benefices should be held together, unless they were contiguous to each other.

Lord *Kenyon* would support the noble Lord's proposition, in preference to the original clause, because he thought it more consistent with principle and common sense. He recommended the most rev. Prelate to withdraw the Bill.

Lord *Wynford* thought it would be better to postpone this Bill until the whole question with respect to the distribution of Church property was brought before the House. He objected to the Bill, because the right of private property was affected by it.

Lord *Harrowby* supported the Bill. He thought that it would be productive of advantage to the Church, and that it in no degree encroached on private property.

The *Lord Chancellor* concurred in the opinion of the noble Earl, that there was no ground for stating that the Bill was an encroachment on private property.

Lord *Tenterden* would vote for the clause as it stood in the original Bill.

Lord *King* said, that the object of all the alterations in the law respecting Church affairs appeared to be, to provide well for the higher dignitaries of the Church, and to make their life as comfortable and easy as possible. The Legislature felt great compassion for the well-paid rectors, but seemed to care little or nothing about the poor curates; doubtless regulating its conduct according to the maxim, "de minimis non *curat* lex."

Lord *Suffield* moved, as an Amendment to the clause enabling incumbents to hold pluralities under certain circumstances, that the "benefices to be so held should be contiguous to the resident incumbency of the pluralist."

The Earl of Carnarvon supported the Amendment.

The Bishop of *Llandaff* did not object to its principle, but thought it too violent a remedy for the abuse complained of.

The Archbishop of *Canterbury* was free to admit the force of Lord Wynford's objection of the tendency of the clause to affect the rights of private property, but saw not how it could be remedied. No public improvement ever could be made if the rights of private property were not in a degree violated.

The Marquis of *Bute* contended, that pluralities were an essential and beneficial feature of the Church Establishment.

Lord *Suffield* would rest his Amendment on this plain principle or question—was it the object of the Bill to provide for the advantages of the clergy, or of those parishioners who were without the benefit of Spiritual instruction? To judge by the tone of the right rev. Bench, it would seem that the interests of the flock were of no moment, while those of the Clergy were every thing. He thought it useless to press his Amendment, though convinced of its propriety, as, in the then state of the House, he was sure to be defeated: more than two-thirds of his auditors were Bishops, and of the other one-third not more than two or three were friends to any Reform, ecclesiastical or otherwise, deserving the name.

Amendment negatived.

Lord *Kenyon* moved that "forty-five miles" be substituted for "thirty miles," as the extent beyond which an additional living should not be distant from the residence of the incumbent.

Negatived.

The same noble Lord moved, that the additional living should be contingent on the circumstance of the first living's being valued at not more than 8*l.* in the King's Books.

Negatived.

Lord *King* had an Amendment to move to the clause of exception for holding pluralities, which he feared would be treated as revolutionary by the right rev. defenders of the good old abuses of mother Church. He confessed that his Amendment was rather a violent innovation on the established system of Church discipline, for it went to make merit a condition of Church preferment. This, he need not say, was no part of the present immaculate system, and would, no doubt, excite the pious horror of the right rev. defenders of ancient orthodoxy, so that it put money in their pockets. The clause made the degree of Master of Arts a ground of exception. He would propose instead, that only those graduates who had obtained the distinction of First Classmen at Oxford, and Wranglers and Optime men at Cambridge, should be exceptions to the rule of the Bill.

Lord *Tenterden* was one who had been fortunate enough to obtain, at a very early period of life, almost all the honours which the University of Oxford could bestow, and could take it upon him to say, after forty-six years' subsequent experience in the world, that no more uncertain—indeed worse—criterion could be selected of general intellectual competency or fitness for the office of pastor than the circumstance of a candidate's having obtained honours at the University.

The Archbishop of *Canterbury* was glad that his own conviction was corroborated by that of the noble and learned Lord, who was so high an authority on such matters. He must say, that, if any criterion of merit could be established, no persons would be more delighted at it than the Bench of Bishops; but there could be no worse criterion of merit than the honours thus obtained at the Universities.

Lord *Suffield* thought that his noble friend's (Lord King) object might be obtained, in some measure, by moving, that such dispensations be granted to no persons under thirty-five years of age.

Lord *King* said, that its effect would be precisely the reverse. He wished to establish merit as the criterion of promotion, but this would make seniority the criterion. Patronage was the power of giving certain favours to any person, and his Amendment would be a check to indiscriminate patronage, for it would secure its being exercised in favour of those only who had merit.

Amendments negatived, and the original clause agreed to.

The other clauses agreed to. The House resumed.

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HOUSE OF COMMONS,

Tuesday, March 27, 1832.

MINUTES.] Bills brought in. By Mr. SPRING RICE, to supply a Sum of 3,000,000*l.* out of the Consolidated Fund for the Service of 1832; and to Indemnify such Persons as had omitted to qualify themselves for Offices and for extending the time limited for such purposes.

Returns ordered. On the Motion of Mr. SPRING RICE, of the Gross Amount of Stamp Duty paid at all the Ports of Great Britain, for Warehousing Goods and Produce entered inwards in the years ending 5th of July, 1830 and 1831, respectively, distinguishing the Amounts paid by the different Ports; of the total Amount of Money remaining in the Exchequer or to be received on Account of Ways and Means; also of the several Sums of Money which would probably remain to be defrayed on Account of the Supplies of the years from 1825 to 1831, respectively, and the Surplus of the Ways and Means at the disposition of Parliament:—On the Motion of the SOLICITOR GENERAL, of the Amount of Fees received by, or accrued due to each of the Messengers to the London Commissioners of Bankrupts in each of the years 1829, 1830, 1831, and 1832, from the 12th of January, to the 12th of March, in each year.

CASE OF BROADHURST, CURRAN, AND OTHERS.] Mr. *Hunt* presented a Petition from Edward Curran, Nathan Broadhurst, William Ashmore, and Robert Gilchrist, now confined in Lancaster Castle, under the sentence of a year's imprisonment, for being present at an illegal meeting at Manchester, on a Sunday. They complained that they were ill-treated in gaol, and that they were refused even the gaol allowance, which was a kind of thin gruel, called skillet, and potatoes. He begged to call the attention of the House more especially to this petition, because it might, perhaps, be very shortly the turn of a different description of Reformers—these men being Radical Reformers—to be similarly situated. Having been ordered to suffer a year's imprisonment, they were supplied at first with the gaol allowance, but in consequence of their being unable to do the work assigned to them, the gaoler told them that they must provide themselves with food and firing. This was understood to be by order of the visiting Justices. The only work those poor men could perform was silk-weaving, and, therefore, it was impossible for them to do such work as the gaoler put them to. They also complained that a bill was now before the House, which, in the event of their dying in gaol, would give the gaoler the power of disposing of their bodies to the surgeons. They were very poor men; their families were obliged to be supported by the parish, and they were apprehensive they should die in prison, and that their bodies would be given up to be anatomised. They also complained that all their letters were broken open by the gaoler; and of that he (Mr. Hunt) had also to complain that the gaoler had committed a breach of privilege. He had occasion to write to those men, and his letters had been opened before the men got them. He apprehended that the law did not give the gaoler permission to break open letters addressed to persons confined for misdemeanours, whatever it might do so far as regarded felons—the more especially when the letters came from a Member of the Commons' House of Parliament.

Mr. *Green* said, that the gaoler was perfectly justified by the law in all he had done. The visiting Magistrates had power by Act of Parliament to withhold the gaol allowance from prisoners, unless they consented to perform some light work, so as to prevent them from eating the bread of idleness. As to the opening of letters, the law gave such a power to the gaoler, and the letters of Members of Parliament neither could be distinguished from others, nor ought to be exempt from the regulations.

Lord *William Lennox* said, if all the statements were founded upon the same accuracy as one to which he was about to allude, the petition did not deserve the attention of the House. He alluded to that part where the petitioners stated, that in the event of their deaths their bodies would be given up for dissection. He opposed the Anatomy Bill as much as the hon. member for Preston, but he must point out, bad as was the bill, there was a clause which enabled an individual to save himself from the dissector, by stating during his life his objections.

Mr. *Warburton* thought, that these prisoners had been punished unjustly and harshly, and that they ought not to have been punished at all by an *ex post facto* law. They had acted improperly in attending a meeting on Sunday; but there was no law, he believed, against that. They were only punished by common law; and he wished to have that case pointed out by which an individual had been punished, and a precedent established, for attending a political meeting on a Sunday. The observation of the noble Lord, as to the Anatomy Bill, was correct.

Mr. *Lamb* thought the hon. member for Lancaster (Mr. Green) had given a sufficient explanation of the circumstance as far as the conduct of the gaoler was concerned. The prisoners were not confined for attending a meeting on Sunday, but for attending an illegal meeting; and they would have been punishable if they attended such a meeting on any other day, though, undoubtedly, it was an aggravation of their offence meeting on Sunday.

Mr. *Hume* said, that the right hon. Gentleman who had just addressed the House, had not stated in what the unlawfulness of the meeting consisted. The circumstances, as he understood them, in which the meeting was called were these:—That certain individuals were under sentence of death at Bristol, for the part they had taken in the late riots, and these persons at Manchester being desirous of saving their lives, called a meeting for the purpose of addressing his Majesty in their behalf. Now, he was anxious to know where was the unlawfulness of such a meeting, called by public notice, particularly as the Address was agreed to, and forwarded in due form through the Secretary of State to his Majesty? Where were the acts of violence—where was the impropriety?—there might be indiscreet speeches, but in what assembly in the world were they not to be met with? Even in that House they now and then listened to indiscreet speeches, and should the House not make an allowance for those who are not under such control? There ought then to be some strong and special grounds in order to make it an unlawful meeting. It was indeed highly indecorous to meet on the Sunday, for the purpose they had in view, but there was a difference between disapproving of that, and condemning the parties for such a misdemeanour to twelve months' imprisonment.

Mr. *Weyland* contended that it was an unlawful riot of which the Jury had found these people guilty; and he thought the Judge was authorized to pass a severe sentence on those men who had been guilty of attending such a meeting on Sunday. He objected to any re-hearing or re-opening of this case by the House.

Lord *Stanley* said, that the regulations of the gaol had been properly complied with in the treatment of these people, and that the Magistrates had only obeyed the law. The prayer of the petition, in fact, was directed against the Anatomy Bill of the hon. member for Bridport. The petitioners did not complain of the conduct of the gaoler. [Mr. *Hunt:* They do.] As to the character of the gaoler, he felt it necessary to say, that, from the long knowledge he had had of his conduct, he was perfectly convinced he was one of the last persons to do that which was either inconsistent with the orders received from the Magistrates, with the Act of Parliament, or with the due maintenance of prison discipline.

Mr. *Hunt* said, the prayer of the petition was against the gaoler and visiting Magistrates of Lancaster, and the petitioners complained of their gaol allowance being stopped. He was not surprised at the character given by the noble Lord to this gaoler, when he recollected the high encomiums passed on the gaoler of Ilchester, and knew of what he had lately been found guilty. He had once been in prison for a political offence, and hon. Members did not know whose turn it would be next. The speech which the Attorney General had delivered at Nottingham would most likely, under another Government, have occasioned his trial for sedition, and inflaming the minds of the people. What was sauce for the goose was sauce for the gander, and if this Reform Bill were not passed, would hon. Members on the Treasury Bench succumb? Would they give up Reform? If they would, he should not, and they might be imprisoned for political offences. He himself had heard in that House words much more violent, perhaps more vulgar, than those for which these men had been found guilty of a misdemeanour. During the time of the suspension of the Habeas Corpus Act, and during the worst things of Lord Sidmouth's Administration, no case parallel to the present had occurred. How would the hon. Gentleman like his letters to be opened? When he was in prison at Ilchester, his letters were not opened. During the time the Tories were in power that was not the law; so that there was a severer law against political offences under the Whigs than even under Lord Sidmouth. As to the gaoler, of whom so high a character had been given by the noble Lord, he was a vulgar, insolent, unfeeling wretch. He was at a loss to know how the noble Lord could bestow on him such a character. He was convinced it was because the noble Lord did not know the gaoler.

Sir *Francis Burdett* said, that one of the points to which the hon. member for Preston had alluded had reference to an interference with the respect to prisoners, which he (Sir Francis Burdett) had always deprecated. All prisoners were, of course, under sentence of law; but, in his opinion, they ought not to suffer one iota more than the law had laid down; for it generally happened that the law erred on the side of severity rather than on that of mercy. He, therefore, thought that the rule which prevailed of opening the letters of prisoners was a great grievance, of which they had a full right loudly to complain; and that there was nothing to justify the Magistracy in issuing orders to that effect to the gaoler, except where there was specific ground for suspecting that conspiracy, or something of that nature, was carried on by correspondence. Without such a reason as this, he was quite sure that such a proceeding was both cruel and unconstitutional; and it was particularly fitting, that where Magistrates were vested with a large discretionary power by an Act of Parliament, they should watch with a jealous eye the gaolers and others to whose care they confided the custody of the prisoners, instead of being disposed to regard the actions of such persons with too great indulgence, as was frequently the case. With respect to the particular complaints brought forward by petitioners of this kind, he thought that they ought to be investigated; for, while it was true that they were under the protection of the law, it should also be remembered that they were exposed to the rigours of the law; and that, in the case of injustice being practised, they had no other place but that House to fly to for redress.

Petition to be printed.

ABOLITION OF CAPITAL PUNISHMENTS.] Mr. *Ewart* rose to move for leave to bring in a Bill abolishing Capital Punishment in the cases of horse-stealing, sheep-stealing, and cattle-stealing, also in cases of stealing in a dwelling-house, no person being put in fear therein. He owed an apology to the House for personally venturing to introduce the subject to their notice; but he had originally taken it up as an independent Member of that House, and he was not aware at that time of the years of attention and labour which had been devoted to it by the hon. and learned member for Ilchester (Dr. Lushington), and other hon. Members, to the benefit of the country, and to their own immortal honour. He did it simply on the principle, that an unduly severe punishment must be an extremely uncertain punishment—a principle which had been theoretically laid down by Beccaria more than seventy years ago, and which had been practically illustrated in our times by the positive experience of Mr. Gibbon Wakefield. But if this principle were true, that an unduly severe punishment was an uncertain one, how much more must an irreparable punishment be to an uncertain one? Such a punishment was the punishment of death. Many punishments were more severe: this, when once inflicted, was beyond recall. Hence it was, that prosecutors trembled at the punishment, that Juries hesitated, that Judges paused, and that guilt escaped unpunished, or rather rewarded with impunity. He should at once proceed to the point, and submit to the consideration of the House the Returns relative to this subject on their Table. It appeared that, in the year 1831, there were sentenced to death for sheep-stealing in England and Wales, 162 persons—executed one; sentenced to death for horse-stealing, 125 — executed none; sentenced to death for larceny in a dwelling-house, 100—executed none. In the United States, he believed that none of those crimes were capitally punished; and none of them in France. But it might be said that this one capital punishment, occasionally given, tended to prevent the crime. He doubted the justice of executing a man for what others had been transported for. But he would admit that it was just; was it effectual? He knew instances of Members of that House, who, rather than subject an individual to even this contingency of capital punishment, waived the prosecution altogether. And it appeared on the evidence adduced before the Select Committee on Capital Punishments in 1819, that one of the witnesses declared that his land had been laid waste by sheep-stealing; that he would prosecute if transportation were the punishment, but never as long as it might be death. Mr. Bradford, a writer on the criminal law of America, fully confirmed this statement relative to the United States. It was his intention to propose to substitute the next secondary punishment on the Statute-book, which left the alternative of transportation, imprisonment, or solitary confinement. At the same time he wished the House to remember that this was open for consideration in Committee. With the permission of the House, he would proceed to state, that the capital sentences for crimes with respect to property, during the year 1830, amounted to 1,108; the executions only to eleven. Now, if we compared the certainty of execution in France with that of England, we should find that, while the sentences to death in England amounted to nearly 1,400 in the year 1830, the executions amounted to forty-six. In France, in the same year, the capital sentences were ninety-two, the executions forty-two. The same difference might be shown by going back for a series of years. Crimes punished capitally in France were also fewer, and more strictly defined, than those in England. Every one knew that the definition of burglary in England was not satisfactory. In France it was, under the name of "*Vol avec cinq circonstances*," most clearly defined, and did not confound the lesser with the greater criminal, as was sometimes the case in the English law of burglary. In America also, in the states of Maine and Massachusetts, arms must be borne, and assault be made by the prisoner. In America, in New Hampshire, only treason and murder are capital. In Pennsylvania, only murder in the first degree; in Louisiana, under the code of Mr. Livingston, no crime was capitally punished. He would not refer to the comparative state of European countries. They were amply given in the pages of Lucas, Ducpetiaux, De Tracy, and many other well known writers. But as a practical illustration within our own dominions (even of a barbarous country too), he would mention the Mahommedan law in Hindostan, by which, he believed, that murder only, or violent robbery, was capitally punished. In the East-India Selections, Mr. Metcalfe, the resident at Delhi, in the year 1815, writes, that in that district they never punished with death, and that it was in no degree necessary. The Statute-law of our country was, he was afraid, the fertile parent of most of our sanguinary enactments: the Common-law knew them not. The Committee on Capital Punishment, in the year 1819, stated, that for the first thirty years after the Revolution, the average proportion of convictions to executions was thirty-eight to twenty; in 1830, it was 1,400 to forty-six. Sir William Meredith, who represented Liverpool in 1777, stated, that in the preceding reign, that of George 2nd, no less than thirty-three of these capital Statutes had been passed; and he emphatically adds, that in his days the real hangman was the Member of Parliament. These severe enactments were, in part, the results of an imperfect Representative system—they were the weeds of the Statute-book, and showed the corrupt soil from which they sprung, a Legislature which represented not the wants and wishes of the people. It was wise, in a free Constitution, to show confidence in the people for whom it existed. If they were treated like political disturbers of their country, could they be otherwise than degraded slaves or discontented freemen? If the Legislature told them, by sanguinary enactment on the Statute-book, that it suspected them to be prone to crime, could it hope to find them other than tame and silent victims, or audacious and incorrigible criminals? All example showed that, in a free country like our own, they would be the latter. Besides, it was important that, not only the sentence of the law, but the whole pressure of public opinion should bear down upon the criminal. But if enactments were at variance with the opinions of society, they excited an antagonist force and checked the influence and power of the law. If this were true in all stages of society, it was most true when society was in a disorganized state. A too severe Criminal Code, then, produced a set of men ever ready to act as the advanced-guard of anarchy and of revolution. It created a centrifugal force in society, which disturbed its balance and interrupted the harmony of its movements. He anxiously hoped that his Majesty's Ministers would assist in any amendment which was attempted. But remedial measures were not alone sufficient — preventive measures were indispensable. If there were any admonition which he wished to be thundered in the ears of every Legislature, it was this—" Educate your people: be not content with giving them a horror of the punishment—give them a horror of the crime also." A proper system of amelioration should begin in education, and end in prison discipline. This was the system laid down by Beccaria—this was the one suggested by Mr. Livingston, in his well known Report on the Criminal Code of Louisiana. This was the suggestion of his lamented friend Mr. Roscoe, a name which he might be permitted to allude to as a "*memorabile nomen gentibus, et multum nostræ quod proderat urbi.*" In conclusion, he begged to apologize for the length of time which he had detained the House; but he felt an inward satisfaction at having expressed his opposition, as an independent Member, to some portions of our code, which no time, no circumstances could justify—which could be palliated only when they grew up beneath the shadow of the darkest barbarism, or of the most unlimited tyranny.

Mr. *Strickland* seconded the Motion, and thought that the House was much indebted to the hon. member for Liverpool for having brought forward this question, as the sanguinary state of the code of this country had long excited the surprise and reprobation of the other nations of Europe.

Mr. *Lamb* rose to express his wish that the House would consent to give his hon. friend the member for Liverpool leave to bring in this Bill, though he could not pledge himself as to the course which it might be necessary to pursue. He thought, after the alterations in the Criminal Code made by the right hon. Baronet (Sir Robert Peel), there were not many capital offences the punishment of which could safely be lowered nor did he feel quite sure that the hon. member for Liverpool had chosen those offences which it was most proper to change with respect to their punishment. With respect to horse-stealing he had some doubts, for in that offence the article stolen was the very means of conveying the criminal from the scene of the robbery. With respect to stealing in a dwelling-house, also, they had to consider that the severity of the law, as it now stood, was chiefly aimed against those servants who should betray their trust—an offence against which the law was specially bound to guard, as the temptation was so manifest, and the facility so great; and, indeed, with respect to some of these offences, he was able to state, that there was an outcry raised by some against the Executive for not enforcing the law with sufficient severity. The main question, therefore, was, whether it was better to mitigate the law so as not to meet the justice of such aggravated cases, for the sake of ensuring a more certain punishment towards the whole of the offenders.

Sir *Robert Peel* thought, before the House came to any decision upon the subject of the hon. Member's Bill, the Legislature ought to take a wider and more extended view of the whole question of punishment for all offences. He thought there were matters connected with the Bill proposed to be brought forward by the hon. Member which were deserving of the gravest consideration, and it would be much better deferred until the whole question respecting secondary punishment was reviewed, to the end that it might be, in some degree, altered. With respect to the stealing in a dwelling-house, that crime sometimes presented itself, as the hon. Under Secretary had well observed, under the most aggravated circumstances. Those robberies were sometimes not only committed by the servants, but by means of a collusion between the servant and a gang of thieves. The hon. Gentleman said, "No person being put in fear therein." But, supposing a butler had the care of his master's place, and he admitted a gang of robbers into the house—they might come armed—they might steal, 4,000*l.* or 5,000*l.* worth of plate—and it might be owing to the mere accident of the family not being disturbed that no violence was committed. And did the hon. Gentleman think that the law ought to save from capital punishment the servant who thus put the property and the very life of his master in jeopardy? The House, however, appeared very little disposed at present to pay attention to the subject, and he should therefore, defer his other observations to a future stage of the Bill. He must, however, repeat, that, before the House took this step, they were bound to take a review of the state of secondary punishments in this country. They must also consider that, as civilization increased, the facility for the commission of crime increased more rapidly than the facility for the prevention of it. All these things, therefore, ought to be taken into account before any extensive alteration in capital punishments was made; though he did not at all mean to say that the time was not come for such an alteration to take place, he did not mean to say, that such an alteration ought not to take place at this time, but the greatest caution was necessary at every step, in order not to excite the prejudices of society against the alteration, by too rashly weakening the present protection of property.

Dr. *Lushington* agreed with the right hon. Baronet that it was necessary for the House to apply itself to this subject in the most calm and deliberate manner. The hon. member for Liverpool proceeded on the presumption, as he understood, that the having so many capital offences on our Statute-book was productive of injury, instead of benefit, to society. He was not prepared to deny that the fear of death was operative upon men's minds to a certain extent: but, on the other hand, he was quite sure that this excess of punishment prevented persons from prosecuting, Juries from convicting, witnesses from giving their evidence fairly, and the Executive Government from carrying the laws into effect; the result of all which was, to hold out to the criminal the hope of a complete escape from punishment; for, instead of meeting with that certain punishment which was duly proportioned to his crime, he was acquitted by the Jury, and so met with no punishment at all. With respect to the picture which the right hon. Baronet had drawn, of a servant admitting a gang of thieves to rob his master's house, he must grant that, looking at it in the light of an individual offence, it was impossible to conceive a blacker crime—short of murder. But they were not legislating for individual offences: and even with respect to servants robbing their masters, he could remember, when the Earl of Mansfield prosecuted his servant for entering his lady's chamber, and stealing property to a considerable amount, what pains that noble Lord took to obtain the pardon of the criminal. He (Dr. Lushington) himself was once robbed by a servant, night after night, because that servant knew his disinclination to prosecute for a capital offence, and that he should be suffered to escape. He was happy to say, that, after living for many years by the most dishonest practices, went to the West Indies, became a clerk to a learned Judge, and subsequently obtained a situation under Government, which he held at the present moment. It was well known that the horror of capital punishment was continually operating in London and elsewere with respect to individuals who had been guilty of the crime of forgery. It was a matter of history that the punishment of death had never proved effective for the prevention of crime. Even in those early days when to death were added the most cruel tortures, as in the case of high treason, no one pretended to assert that the offence was thereby rendered of less frequent occurrence. And now, that general civilization had advanced, the Legislature must finally yield to the general feeling against the severity of punishment at present in force, he would conclude by observing that all he had stated was the result of the most deliberate consideration that he had ever given to any subject, from the year 1805 up to the present time.

Sir *Robert Peel* did not mention the case of a servant robbing his master as deserving of death on account of the moral guilt of the offence, but on account of the peculiar facilities and temptations that were thrown in a servant's way.

Lord *Althorp* would not oppose the Motion of the hon. member for Liverpool; but he must say, that, until they had secured a better system of secondary punishments, he thought the Amendments proposed to be introduced into our Criminal Code could not safely be carried into effect.

Mr. *Robinson* very much approved of the Motion of the hon. member for Liverpool, and was ready to give his humble assistance to remove those disgraceful blots, which, notwithstanding all the amendments of the last few years, still remained on the Statute-book.

Mr. *Trevor* was much afraid that the breaches of trust, particularly among servants, would be much extended, if the punishment of death was abolished. The fear of the extreme sentence of the law might deter many from the commission of such offences, which a secondary punishment might not effect.

Mr. *Hunt* supported the Motion of the hon. member for Liverpool, and thought the country was indebted to him for bringing the question under consideration, and he was sure the passing of such a Bill would make a very favourable impression on the minds of the people.

Mr. *Cressett Pelham* said, wherever there were great temptations to crimes against property, as was the case in this country, from the state of society, sufficient checks ought to be established for the punishment of offences of an aggravated character, and the law ought not to be so far relaxed as to be unable to meet these. He begged, therefore, to caution the hon. member for Liverpool not to take away the terrors of offenders being liable to the heaviest punishment without discrimination.

Leave was then to bring in the Bill.

BUCKINGHAM PALACE.] Sir *Frederick Trench*, on rising to move for returns connected with the expenditure on Buckingham Palace, said, he should not apologize to the House for taking upon himself the voluntary duty of bringing this subject under its consideration. The object he had in view was, to point out the very large and extravagant expenditure which had already taken place; and not only that, but he thought he should be able to convince the House, that there was about to be incurred a further expenditure to an incalculable amount, and such as would excite the surprise of hon. Members when he named it. He had been anxious to bring the subject before the House, and had been watching an opportunity of doing so for the last three weeks, because, at the present time, there were no less than seventy labourers employed daily at Buckingham Palace, directly in opposition to the plans which had been sanctioned by the Committee of the House, which had been appointed to inquire into and investigate the subject. With regard to the precise nature of their employment, he could not personally speak, for, though he had applied to the noble Lord at the head of the woods and forests for permission to inspect the works, not as an inquisitive spectator, but as a Member of the British Parliament, desirous of seeing what was doing, with a view to call the attention of the country to it—by that noble Lord he had been refused permission. It was true, he had been offered an inspection by his hon. friend, the Chairman of the Committee; but, after what had passed with the noble Lord to whom he had already alluded, he did not think proper to avail himself of the offer, and, therefore, he was not prepared to state what actually was going on. His hon. friend (the Chairman of the Committee) had intimated to him that he should not notice any observations which he might make upon the present occasion; and though he was perfectly aware that what he might state would not be considered worthy of the attention of the House, yet his desire was the more increased to express to the House the amount of the expenditure of the public money in the instance to which he now particularly referred. In doing so, he begged to state, that every syllable which he should urge was founded upon the Report of the Committee, and that of Mr. Blore, the architect, and not his own mere dictum. It appeared, from the Report of the Committee, that the first expenditure in four items, with the details of which it was unnecessary to trouble the House, amounted to the sum of 500,741*l.* actually laid out on the building, which, with the sum of 54,964*l.*, for work delivered and completed by tradesmen—of 42,177*l.* for works in progress, but not completed—and a further sum of 15,414*l.*, which was then necessary to finish the works in progress, made a total of 613,296*l.*; to which sum must be added the amount necessary to complete the Palace, which, exclusive of gilding, ornamental painting, and finishing the conservatories and court-yards, was estimated by the architects and surveyors of the Board of Works at 31,177*l.* But the Committee, in the same Report, had stated, that to make Buckingham Palace applicable as a royal residence, according to the plans and estimates of Mr. Blore, with which he would not now trouble the House in detail, an expenditure of 73,777*l.* was indispensable, exclusive of furniture, which he took could not amount to less than 300,000*l.*; and, in this respect, he formed his opinion from what had been expended at Windsor Castle, for which 279,000*l.* had been granted by Parliament, notwithstanding the furniture of Carlton House and Buckingham Palace had been appropriated to the purposes of Windsor Castle. He, therefore, thought he estimated the expense of the furniture for the new Palace extremely low when he named 300,000*l.* Adding Mr. Blore's estimate to the sums he had already named, together with the expense of furniture, it would be found that the entire expenditure would amount to no less than 1,063,573*l.* The expense which he (Sir Frederick Trench) had now stated would be required to make the Palace complete for a private Residence. But the Committee in their report went further, for they "recommended that the building, which is not applicable to any other public service, should be finished as a royal residence, and ultimately as a palace for the purposes of state, and thus prevent the necessity of any future expenditure on St. James's Palace." The House would hear with surprise, that, in addition to the parallelogram of buildings described in Mr. Blore's report, as proposed to be erected on the site of the circular colonnade, it had been proposed to raise another tier of attics over those now built, notwithstanding the ascertained weakness and unfitness of the walls; and when such crude plans were proposed, he trusted the House would agree with him in thinking the sum of 75,000*l.* was not very likely to be sufficient. He contended that preliminary inquiry was required, and real information was wanting. The four architects consulted, were directed to report on the expense, security, and condition, of Buckingham House, and also to consider a minute of the Lords of the Treasury referring to the expediency of preserving St. James's Palace, and enlarging it on the side next to Marlborough House. What did the committee of architects state in their letter to Sir Benjamin Stephenson, and what reason had they assigned for not attending to the minutes of the Lords of the Treasury? The architects stated, that want of time, with other attendant circumstances, had compelled them to limit their present inquiries, leaving for a future occasion the other matters of reference which they conceived might be subject to alterations, or even rendered unnecessary by their then report. The subject had neither been fully investigated by the committee of architects, nor by the Committee of the House; for the House would bear in mind, that they had passed a resolution that it should be an instruction to the Committee on Buckingham Palace, to consider to what purpose it could be converted; but this resolution had never been taken into consideration, but had been blinked altogether. He had himself addressed a respectful letter to the hon. Chairman of that Committee, and requested to be permitted to be examined as a witness before them. His hon. friend, who was candour and good nature itself, told him, in reply to that communication, that the Committee thought the proposition he had made was wild and fantastical, and, therefore, could not be entertained. He was at a loss to know how the Committee could be aware of his proposition until they had heard it, and he should be glad to know from the noble Lord (Lord Duncannon) if the building was not, in every respect, calculated for the purpose of a barrack, capable of accommodating sixteen officers, and 2,700 men; and whether the saving likely to arise to the public from such an application of the building, was not estimated at between 200,000*l.* and 300,000*l.*? He could, if he had been examined, have proved this, and could also have shown that the building could have been made to produce 500,000*l.* But the Committee, without giving any consideration to the resolution or instruction of the House, and, after refusing the evidence of one who thought he could get them out of a very bad scrape, by the recovery of a very considerable portion of the expenditure, came to the recommendation, that the Palace should be finished for the purposes of State, which would require a further outlay of public money; and they conclude their report by "trusting that care will be taken that the estimates which may be approved, shall, as far as possible, not be exceeded, and that the responsible authorities will maintain a fixed determination to check any additional expenditure." He begged now to call the attention of the House to the report of Mr. Blore; and though he had some distrust for amateur architects, he could not but admit that the report of that gentleman was most fair and candid. Mr. Blore did not pretend to accuracy in his statement as to the probable cost of the alterations necessary to fit the Palace for State purposes; and, in answer to that part of the inquiry, he had stated, that the subject was one requiring more time than had been allowed him, to give it that full consideration which ought to be bestowed upon so important an inquiry, before venturing to record an opinion upon it. He then went on to state, "that it was obvious, as a preliminary step towards accomplishing that object, a very considerable purchase of property of unascertained extent and value would necessarily be required on the side of Pimlico, and, until the practicability of obtaining, and the amount of such a purchase could be ascertained, it was impossible for him to frame a report to meet the demands of the minute and resolution referred to him." After this statement by an architect, he felt himself justified in asserting, that a more injudicious experiment had never been made, than ordering the continuation of the work, when the architect had declared it was at present impossible to ascertain the amount of expenditure which would be necessary to make it fit and competent for state purposes. The property to which Mr. Blore had referred in his report, as necessary to be acquired, consisted of a row of houses, at the corner of which stood a public-house, within thirty feet of that portion of the Palace which had originally been intended for the chapel, but which was now converted to some other purpose. The whole range must necessarily be purchased if the plan was to be persisted in, for he put it to the House, whether such a nuisance as the public-house he had mentioned could be permitted to remain in such near approximation to the palace of the King of this country? This property he did not believe could be purchased for less than 500,000*l.*, taking a most subdued view of the value, and, notwithstanding the opinion of others was, that, if the brewery of Messrs. Elliott, and the steam-engine of Mr. Bramah, were not to be purchased, the property might be had for 200,000*l.*, at which low estimate he set it. But he begged to call the attention of the House to what were the preparations in the new Palace for State purposes, for levees, drawing-rooms, and balls. Between the two staircases were three apartments of various dimensions—one being twenty feet long and nine feet wide; another fifty feet by forty-three feet; and the third sixty-two feet by thirty-six feet; and in this last it was proposed to erect the throne. Besides these there were a number of small apartments, but altogether the best of them could not be put in comparison with the suite of seven rooms in York House, which were infinitely superior to those destined for State purposes in the Palace at Pimlico. In the proposed throne-room there was but one entrance, and the King would have no means of passing out unless it could be accomplished through the panel, like an harlequin. In St. James's Palace there were now six splendid apartments for the purposes of State, and he thought that ought to be an inducement not to dispose of the whole question of St. James's Palace in the cavalier way in which it was now proposed, by asking his Majesty to go to Buckingham Palace, merely because it would save any further expenditure at St. James's. The apartments at St. James's could not be fitted up at a less expense than 180,000*l.*, and, if a similar expenditure was to be made at Buckingham Palace, which would be necessary to make it fit for State purposes, this sum, added to the amount to be expended in the acquisition of property, say 200,000*l.*, would make a total for the cost of the new Palace, of 1,443,000*l.* He should not be surprised, if the accuracy of his statement was questioned by many hon. Gentlemen, but he trusted the House would think with him, that further expenditure ought not to be suffered, without first considering the two circumstances which had completely been blinked by both the Committee of the House, and the committee of architects—namely, whether the accommodation afforded at St. James's Palace was not sufficient; and, secondly, whether Buckingham House was not applicable to other purposes. He begged to mention one circumstance much to the credit of the late Government:—In looking over the estimated expenses of the Palace, he found, that the Duke of Wellington and the late Chancellor of the Exchequer, on coming into office, used their best endeavours to reduce the charges for the Palace. With that intention a Committee was appointed, and every effort was made by them and the then Government to arrest the lavish expenditure then making, and, in page sixty-five of the last Report, it would be seen that the right hon. Chairman, Mr. Goulburn, had struck out of the proposed items, for trellis-work, &c., in the flower-gardens, no less a sum than 56,000*l*. The late Government had never been charged with penuriousness, but, as the present Government was stated to be a most economical one, he appealed to the noble Lord, the Chancellor of the Exchequer, to have the subject re-considered before any further expenditure was made. He knew not what his Majesty's feelings might be on the subject, but, he maintained, further investigation was necessary. He could tell the House a saving might be made of not less than 700,000*l*., which it was purposed to lay out on a Palace which never could be inhabited. Indeed, whatever sum might be expended, it could never be rendered a fit residence for the Sovereigns of this country. The situation was unwholesome, for there was a large pool of water both in the rear and front of it. There were already complaints in the vicinity of the Palace, of the nuisance occasioned to the neighbourhood by the stagnant water in the gardens, as well of new mounds, forming by contract, from rubbish and filth brought from all parts of the town. The garden was as open to objection as the Palace itself. It might appear to some advantage on a fine day, to a person who entered it from the dirty and smoky streets of the metropolis, but it was utterly destitute of beauty, and it was overlooked by all the houses in Grosvenor-place and near Buckingham-gate. He had before said, the Palace was damp; indeed, it was impossible it could be otherwise, when it was considered that the basement story was below the level of the river at high water, and the premises were kept dry only by art. During the winter, not less than seventy fires had been necessary for that purpose, and these had been since superseded by a heating apparatus. The country would be loaded with the expense of both Palaces, for Buckingham Palace would never be habitable, and it was preferable to get rid of it by expending upon St. James's Palace 75,000*l*., than to leave St. James's, and expend 180,000*l*. on Buckingham House, to make it, as the Committee recommended, a Palace for State purposes, with the indispensable preliminary of the purchases that must be made on the side of Pimlico, and the expenditure of at least 300,000*l*. for future furniture and decoration. In Buckingham House no accommodation was afforded for the servants. There were, indeed, fifty-one attics, but forty-six were very small rooms without fire-places; though he imagined it was considered that amends were made by there being thirty-four water-closets. It had been said, that the basement story of Buckingham House was extremely dark, but that defect might be remedied. But what was the report of the four architects? They said, "You may open the area, but two inconveniencies will follow: the apartments immediately over that story will not be inhabitable, on account of the noise of the servants; and individuals walking on the terrace will be exposed to the annoyance of seeing all that is going on in the area." In his opinion, it would be better to erect buildings for the Royal Family, in the space between Marlborough House and St. James's Palace. He would rather, at all times, judge by the expense which a building already erected had cost, when he was going to build one, than depend on the estimate of an architect. Now, York House had cost about 80,000*l*., and two houses of that description might be built in the space between St. James's and Marlborough House, for 160,000*l*. This was the consideration he wished to submit to the Committee, but they would not listen to him; he, therefore, found it necessary to institute some comparison between the accommodations of York House and Buckingham Palace:—In the first floor of Buckingham House there were only ten rooms, York house contained the same number, but much larger. The gallery in the former on the same floor was 126 feet by 22, in the latter, 125 feet by 32. The staircase on the first was 38 feet by 30, in York House, 80 feet by 45, including the corridor; York House, even standing singly, was almost equal to a Palace, while Buckingham House was a miserable, incommodious, ill-situated, place, and must be extremely unhealthy. It was seated near the common sewer. The sewer had, indeed, been removed to a little distance, but filth and nastiness abounded in it at every spring-tide. York House, in his mind, possessed a princely and splendid suite of rooms, which Buckingham House could not boast of. The former had cost 80,000*l.*, the latter had swallowed up 700,000*l.* of the public money; and, before it was inhabitable, it would require 700,000*l.* more. An hon. friend of his had said, that he would get into a scrape by meddling with this subject; but he knew not what scrape he was likely to get into. He was an independent Member of Parliament, doing his duty, and showing to a retrenching Government what an immense expense had been incurred for a building which afterwards could not be occupied. He would now refer to the statement of the Lord Steward, who stated that he should require for his department, the whole of the basement story, the whole of the ground and upper floors of the south wing, with such additional accommodations as "I mark out in red ink;" and that of the Lord Chamberlain, in which he observed that Buckingham House was not at all calculated to enable their Majesties to hold courts there. His hon. friend, whom he had already alluded to as having apprised him that he would get into a scrape, also informed him, in his courteous note, that he did not wish to hear him speak on this subject. He supposed that his hon. friend considered him to be a wild visionary. He would, however, address his hon. friend in the words of the ancient Grecian hero, "Strike! but hear me!" It was not his intention to ask them to abandon the building, but he wished them, not only to save any further expense, but to recover some of that which had already been expended. Having stated the plan which he had in view in a printed circular, it was not necessary for him now to dilate at any great length upon it. His object was, to save to the public an expenditure of 700,000*l.* by changing the destination of the building, and he was sure that a positive gain would also be effected by adopting that plan. For this purpose he proposed that apartments should be appropriated in Buckingham Palace for the use of King's College. There was a willingness on the part of those who were connected with the College to accede to this proposition; but they said, that they had no money. To this it was answered that no money was wanted. The proposition was, that proper accommodation should be set apart in Buckingham House for King's College, and that the latter building should be converted into public offices. By this mode an expense of 15,000*l.* would be saved, which was at present paid for houses in which the business of the Government was transacted. This saving, at twenty years' purchase, would produce 300,000*l.* It was a discredit to this country that it should be without an elegant picture-gallery, and it was well known that many valuable collections were lost, for want of such a depositary. The present picture-gallery at Buckingham House was only 126 feet long, but his plan would give a picture-gallery 526 feet in length and twenty-eight in breadth. That of the Louvre was 1,300 feet long by thirty-five broad; but the one would be as superior in beauty as the other was in extent. Indeed so admirable a gallery would not exist in Europe. The upper part of the premises might be converted into an office for records, as it would admit of the most perfect ventilation, and was fire-proof, and the country was at present very much in want of such a place. There might also be a statue-gallery composed of two conservatories to the garden front, eighty-eight feet by fifty feet each, making 176 feet; which, with the terrace between them, 158 feet, would give a range of great beauty of 334 feet. The marble chimney pieces not yet set up had cost 18,970*l.*; the State Room doors, which might be unhinged and sent to St. James's cost 12,600*l.*; marble floors had cost 2,670*l.*, and 104 marble columns 24,000*l.* The whole amounting with other items that might also be removed, to 94,000*l.* He was not one of those who would wish to see the King go down to the House in a hackney coach; or wish him to live in a ready-furnished lodging, and he believed that the most economical Member of that House—even the hon. member for Middlesex—was anxious to see a splendid and magnificent residence appropriated to his Majesty; and such a residence, he had no doubt, might be raised by his plan, without imposing any burthen on the public. To the sources of saving which he had already mentioned, there was to be added the 94,000*l.* he had just noticed. The account would then stand thus—if Buckingham House were disposed of in the manner which he proposed: In the first place, 700,000*l.*, that otherwise must be hereafter expended, would be saved.

Saved by the appropriation of King's College to public offices, 15,000*l.*

per annum	£.300,000
Picture Gallery	50,000
Statue Gallery	30,000
Attics for Records, 2,000*l.* per annum	40,000
Cellar and Basement, ditto	40,000
	460,000
Credit for items, marble chimney pieces &c., at Buckingham-house	94,000
	554,000

Thus would be realized, in money's worth the sum of 554,000*l.*, which he looked upon as a very handsome sum to be recovered from the lavish expenditure of Buckingham House. If that place were not occupied, then the garden was unnecessary, and it contained 15,000 feet of frontage. That, if let for building at 3*l.* per foot, would produce 45,000*l.* per annum ground rent which, at twenty-seven years purchase would, produce 1,215,000*l.* As objections had, however, been raised to covering the ground with buildings, he would take but one-fourth of it, and instead of building rows of houses and squares, he proposed that it should be laid out in villas, like the Regent's-park. It would then, at the same rate of purchase, produce 303,750*l.* which, with the 554,000*l.* already pointed out, amounted to 857,750*l.* Deduct from that sum 160,000*l.*, double the expense of York House, for the erection of the buildings he had previously mentioned for the residence of the King and Queen, and it would leave a net sum of 697,750*l.* for the erection of a splendid palace. And it should be observed that not one shilling of taxes would be necessary to effect this plan. He hoped the statement which he had made was sufficiently clear to induce the noble Lord to take it into his serious consideration. If the question were to be again opened and re-considered, he would not, having now stated his case to the House, trouble them further. But if a contrary course were taken, he would not, until he was convinced that he was in error, omit any opportunity, when the House was going into supply, of stating his opinion on this subject; and he would even lay a petition before his Majesty with respect to it. He had had an interview with the late King relative to the new Palace. He was received with the utmost affability. He then told his Majesty that, while he was sure that the humblest peasant in the country wished his Majesty to have a splendid residence, his best friends were obliged to confess, that large sums of money had been squandered on Buckingham House, but that nothing magnificent, nor even convenient, had been produced. It seemed to him that a comparison might well be drawn between the new Buckingham Palace and the Reform Bill. They were originally told, that Buckingham House was to be altered and repaired; but when he asked the persons there to show him some of the old Palace, he found that it had been wholly removed. A very small portion remained, near the King's bed room; therefore, he thought it might be said, that as the new Palace presented but a small portion of the old building, so it might be feared that the noble Lords' new Constitution would return but a very small remnant of the old one. With these observations, without trespassing further upon the patience of the House, he begged leave to move for a copy of any minute issued by the Lords of his Majesty's Treasury referring to the expediency of preserving St. James's Palace and of enlarging it by means of a communication with Marlborough House;" also for copies of the instructions given to Mr. Blore for the expenditure of 75,000*l.*, granted for the erection of a parallelogram of buildings at Buckingham House, and the plans, estimates, and specifications of the building proposed to be erected.

Mr. *Cressett Pelham* begged to take that opportunity to express his disapprobation of the expenditure of the public money in a way unsatisfactory to the people, as in the case of Buckingham Palace, without adding to the splendor or comfort of the Crown by the outlay.

Lord *Duncannon* said, that, without meaning any disrespect to the hon. and gallant Member, he did not feel it his duty to go into any reply to the observations which the hon. Member had addressed to the House on this occasion. The whole of this subject had been already before a Select Committee of that House. That Committee had made its Report, and it was in pursuance of that Report, and upon the authority of the Committee that he had moved for, and had obtained, leave to bring in a Bill to apply the sum of 75,000*l.* for the completion of Buckingham Palace. The whole of this question, he repeated, having been brought under the consideration of a Committee, and that Committee having decided that the best plan was, to complete the Palace, he had felt it his duty to come to Parliament for the authority to do so, and that authority having been obtained, the work, accordingly, was now actually in progress towards completion. He begged to say, that in his opinion, it would have been extremely improper on the part of Mr. Blore, or any other architect, to have allowed the hon. Gentleman to go into the Palace and inspect the works while in progress, in order to find fault with them.

Mr. *Robert Gordon* was very sorry that the hon. and gallant Officer had not been a Member of the Committee on this subject, as he was sure, if he had, that he would have been convinced by the oral as well as by the documentary, evidence which had been laid before them, that the plan which they decided upon, namely, the completion of the Palace, was the best one. The gallant Officer's plan was submitted to that Committee, and he must say, that all the *primâ facie* appearance of probability about it was such as to induce the Committee not to go further into an examination of it. Indeed, it was the unanimous opinion of the Committee that they would be only unnecessarily occupying the time of the hon. Member, if they proceeded to an oral examination of him on the subject. The Committee left the amount of the sum for the completion of the Palace to be suggested by his Majesty's Ministers, and they had suggested the amount in question—namely, 75,000*l.* If the hon. and gallant Gentleman would get any capitalist to buy the Palace for 400,000*l.*, he (Mr. Gordon) was sure that his Majesty's Government would be glad to get rid of it upon such terms, and he, for one, would rejoice at seeing such a bargain effected.

Mr. *Warburton* said, that the public must now content themselves with the expenditure of 700,000*l.* or 800,000*l.* on this Palace. They would not recover that money, and the only alternative for them was, to fit it for the purpose for which it was intended. All that the public got in return for that expenditure, and he was not sure, great as it was, that the benefit which accompanied it had not been well purchased, was the having St. James's-park opened at the same time, and laid out in walks for the accommodation of the citizens of this immense metropolis. In his opinion, the Government could not have done otherwise in this instance than have adopted the recommendation of the Report of the Select Committee on this subject. He certainly should oppose any project for selling this Palace for 400,000*l*, or 500,000*l.*, even if so much could be got for it, to any private capitalist or builder, as that might be the means of shutting up the park, which was one of the lungs of the metropolis. He would conclude these few remarks by confirming the statement of the chairman of the Committee (Mr. R. Gordon) as to what took place there in reference to the plan of the hon. member for Cambridge.

Mr. *Hunt* thought, that the hon. member for Bridport had made a very extraordinary speech for one who professed himself to be an economist. He defended the wanton outlay of 700,000*l.* upon a Palace, because as he said, the public had got a walk for their money. It must be acknowledged, however, that it was a very costly one; besides it was said that the Palace would never be fit to be inhabited by the King, and he had even heard that his Majesty had expressed a personal objection ever to reside there. If so, their "walk" would cost still more. If the account of the unwholesomeness of the situation, which had been stated was a correct one, it was a place to which he should not send even a convict to reside, much less a king, the people ought to be satisfied that this could be made a fit residence for their monarchs, before their money was spent on a filthy hole surrounded by nuisances.

Lord *Althorp*, though he did not feel it necessary to follow his hon. and gallant friend through the statement which he had made, could not avoid saying that he had not at all made out his case that there must be an additional expenditure of 700,000*l.* on this Palace in order to complete it. He did not think that it would be very advisable on the part of that House, or of the country, to commence the building of a new Palace. He could hardly persuade himself that it would be enonomical to do so even on the grounds stated by the hon. Gentleman. He begged to say, that, though he did not think it a wise thing in the first instance to have built a Palace in the situation of Buckingham Palace, yet when he heard so much said as to the unhealthiness of that situation, he would only remind the hon. Member that George 3rd, and Queen Charlotte resided in that very situation during the greater part of a long reign, and therefore that it could not be regarded as so unhealthy as some would describe it. He was ready to admit at the same time, as he had already said, that the place was not one that should have been originally selected for a Palace, but as the building was in a great state of forwardness towards completion, his Majesty's Government thought it right to bring the subject before the House, in order that it should decide what should be done with it. A Select Committee was accordingly appointed, and amongst the Members of that Committee were several Gentlemen who, so far from being inclined to spend the public money, had been uniformly distinguished for their anxiety to save that money as much as possible. That Committee went into a full examination of the whole case, and they reported, that after the most careful consideration that, they could give to it, it appeared to them that the best plan was, to complete the building so as to render it fit for a residence for his Majesty. Under these circumstances, the House adopted the Report of the Committee, and decided that the Palace should be completed, and having voted the sum for that purpose, the work was accordingly commenced. Now, he would ask the House whether, having gone so far, and whether having recommenced the works, they ought to retrace their steps, and commence the building of a new palace, knowing so well as they did, how little able they should be in the first instance to calculate the expense of such an undertaking. No minute of the nature of that described in the hon. Gentleman's motion, he believed existed, and he should object to the production of the other papers for which he called, on the ground that their production would be only re-opening this question, so as probably to lead to great additional expense. He had already said, that he would not enter into the statements of his hon. and gallant friend, but he could not avoid observing, that his hon. and gallant friend had by no means satisfied him by the assumed statements and assumed calculations which he had brought forward, that he would be able to produce the great saving which he said he would effect if his plan were adopted.

Mr. *Curteis* took that opportunity of observing that he thought the public had a right to ask of the noble Lord at the head of the Woods and Forests, or of that member of the Government who possessed the control, that the passage through St. James's Park, between Storey's-gate and the Pimlico-gate, should be left open at night. Those gates were now closed at an early hour of the evening, and the consequence was, that every person who desired to go from Pimlico to Westminster, or from Westminster to Pimlico, could only do so by a most circuitous and disagreeable route.

Lord *Duncannon* begged to state that the gates to which the hon. Gentleman referred were not under his charge—they were under the control of the Ranger of the Park. He would, however, take care that the subject should be brought under his consideration, and he had no doubt but that the hon. Gentleman's wishes would be complied with.

Mr. *Maurice O'Connell* was of opinion that, as we were going to have a Reformed Parliament, the question of Buckingham Palace was one that ought to be referred to it.

Sir *Frederick Trench* said, that after the observations which had been made by the noble Lord, although by no means satisfied that his plan was not the best to be adopted, he should not press his motion to a division.

Motion negatived.

TITHES. (IRELAND) MINISTERIAL RESOLUTIONS.] Mr. Stanley moved the Order of the Day for the House to resolve itself into a Committee of the whole House, to take into consideration the subject of Tithes in Ireland.

Mr. *Wallace* hoped that the right hon. Gentleman would not press his Motion at present, but would consent to postpone it at least for a week, as the Select Committee up-stairs had now nearly gone through all its examinations on the subject, and was on the point, he believed, of finishing its inquiry, and presenting its Report. The peace of Ireland was at hazard in this case, and he would most earnestly entreat—nay, beseech—the right hon. Gentleman not to press this measure forward until they had the whole of the evidence taken by the Committee, and the result of their inquiry laid before them.

Mr. *Stanley* said, that he never desired to press any measure forward without affording to the House the fullest possible information with regard to it; but in his mind the very argument that the hon.

Gentleman had urged for the postponement of this Motion was the most powerful that could be advanced for its being taken into immediate consideration. The House had already devoted two nights to a full discussion of the Resolutions which he should have to propose in the Committee, and those Resolutions by no means constituted a final measure as to the settlement of the Church of Ireland. The Resolutions which he was now anxious to press forward were intended to meet a pressing emergency, and to express the sense of that House as to what it was their determination to do in reference to the resistance that had been made to the payment of tithes. It was true that the Select Committee might very soon close its inquiries, but he was far from saying that such would be the case. Taking into account the intricacy of the details through which they had to go, and the overwhelming importance of the interests which had been committed to their consideration, he did not think that it would be practicable or fair to call on the Select Committee to come immediately to a final decision on the subject. It had been said, that all the Irish Members were arrayed against the measure which he had proposed; but he could not consider twenty-seven out of the 100 Members for Ireland as representing the opinion of that country on this question. It had been stated, also, at meetings in Ireland, that with regard to this question, Ireland was on one side in that House, and the Whigs, Tories, and Radicals, had all joined on the other, for oppressing Ireland. Now, he begged to say, most distinctly and emphatically, that such was not the case, but that there had been 314 English and Irish Members on one side, and only thirty-one on the other. Under the circumstances of the case, he thought that he did not ask too much from the hon. Members opposed to him on this question, to allow him to go into Committee now on this subject, have his Resolutions considered seriatim there, and an opportunity given to him of bringing forward his Bill, founded on those Resolutions, in order to meet the urgency of the occasion. During the progress of that Bill through the House, ample opportunities would be afforded for the discussion of this subject.

Mr. *Maurice O'Connell* said, Sir, I should not, perhaps, have now risen, were it not for the manner in which the Secretary for Ireland has met the very reasonable request of my hon. friend. I do not blame the right hon. Gentleman for persevering in his own course; but I do find fault with the taunting manner in which he has spoken of the minority on a former division on this question [*"no, no," from Mr. Stanley.*] Sir, the right hon. Gentleman may not have intended the taunt, but it was felt and understood by every one of those twenty-seven Irish Members, and it will be felt and understood in Ireland, to which country the right hon. Gentleman will have to answer for his conduct on this question. Sir, the right hon. Gentleman tells us that the House had already decided, by its vote, the course to be pursued, and that it is not for a small minority to array itself against the sense of the House—for thirty-one Members to stand up against 314. He goes further, and he says, that England, Ireland, and Scotland are with him, and only twenty-seven Irish and four English Members against him. Sir, this statement I utterly deny. This is not a question between 314 English and Irish Members, in the majority, and twenty-seven Irish and four English in the minority; it is a question between the majority and the minority of the people of Ireland. It was, in the first place, a question whether the great majority of the people were to continue to pay a great portion of their earnings to maintain the Church of the minority in affluence and luxury; and it now comes before you in its modified shape, as a question whether (the inexpediency of so mulcting the people being determined on) a large portion of the money of the people is to be paid away, without any definite promise of relief to them—whether the clergy of the minority were to receive remuneration for services unperformed, and the majority not even the hope of relief from miseries endured. Thus had the question been received in Ireland—thus did it still continue to be viewed—and as long as the twenty-seven Irish Members who voted in that despised minority had the voice of Ireland in their favour, so long would the taunts of the right hon. Gentleman be disregarded by them. Sir, it is in vain to tell us that only one quarter of the Representatives of Ireland voted in that minority. Will any one here deny that the people of three-fourths of Ireland are loud in their opposition to this impost, in their approbation of the part taken by that "quarter" as it is called, of the Irish Members, and in their condemnation of the course pursued by the right hon. Gentleman's majority. I say, three-fourths of Ireland—for I will not venture upon the debateable land of Ulster—though even there the evidence produced against us the other night by the Solicitor General, in the shape of a letter from that highly respectable character, a lieutenant in the revenue police, states that in Protestant Ulster—in ultra-Protestant Donegal—6,000 people had assembled at noon-day to call for the abolition of tithes. Thus supported, Sir, I care not for the majorities which may be obtained in this House: I care not for the decisions of the English and Irish supporters of these propositions. I look for my majority to Ireland; I say that the country which feels the wrong, has the best right to decide upon the remedy. The tribunal before which we are to be judged lies in Ireland—and fearlessly do I call for the decision of that tribunal. But, Sir, let us look to the composition of that minority of twenty-seven; I find that in that minority there voted both Members of each of eight counties in Ireland; I find that of another county both Members who would have voted with us, were unfortunately absent, and, on my soul, I believe that it was the absence of one of those Members which occasioned the haste with which the right hon. Secretary has brought forward his propositions [*"oh! oh!" from the Treasury Benches.*] The right hon. Gentleman and his supporters may sneer at that declaration; I give it as my firm conviction; and I ask, without fear of contradiction, whether such is not the opinion of Ireland, of the country where the measures of the right hon. Secretary are to be judged?—I ask whether that is not a received opinion in England? I ask whether there is a Member in this House to whose mind the same idea has not occurred? Sir, there voted, also, in that minority, one Member for each of several counties, and the Members for most of the principal towns in the south of Ireland. Of one great city in Munster, indeed, both the Members had voted for the majority—with what effect upon the minds of their constituents, I will leave them to discover. Sir, I beg pardon for having been led thus away by my feelings, and I come to the request made by my hon. friend, the member for Drogheda, of his Majesty's Ministers. That hon. Gentleman asks for time—he says, wait a little, until your Committee closes its labours, or, at all events, give us the benefit of the evidence before the Committee of the Lords; but the Secretary for Ireland says no—you have detained us three weeks, and, therefore, we will give you no more evidence. It is true that many witnesses have been examined before our Committee, but we will pin you to the evidence already published; it is true you have had the result of the labours of the Lords for this fortnight back upon your Table; but even that you shall not have printed; you must proceed to judgment upon the evidence of my eight or nine parsons, and three or four policemen; that testimony is in your favour; it is likely the rest of the evidence will be more so, therefore you shall decide upon that *ex parte* evidence! Sir, is not this the meaning of what has fallen from the right hon. Secretary? Is not this what will occur to every man in Ireland as his determination? He tells us, you would have to wait too long for the evidence before our Committee—we shall not close for many days. Granted; but then give us the advantage of the evidence before the Lords; it has been a fortnight on the Table. Your own assistant, the Irish Solicitor General, has moved long since that it be printed. Why are we not in possession of it? [Mr. *Stanley:* There has not been time.] Not time, Sir! not time in a fortnight to reprint so small a volume as that! Sir, I have myself, short a time as I have sat here, known much more voluminous Reports printed and distributed in infinitely less time—but it is not the want of time, but of inclination, that has withheld this Report from us. It is my firm conviction that it has been intentionally withheld—that some secret influence has been used to keep it back—and such, Sir, will be the opinion of the people of Ireland. They are not to be deceived—and they will reiterate with me—"That we have been called upon to decide, on insufficient evidence, and that evidence, at all events, more full, and, as regards the people, more favourable, being within the reach of the Ministers, they have withheld it." Sir, I once more, and for the last time, implore the right hon. Gentleman to pause before he hurries us to this decision. I tell him it may be fatal to his own fame, and must be injurious to his party. I tell him it will prevent his measures from being final and satisfactory, and render them temporary and insufficient. I know that he can and probably will overwhelm us with a majority in this House; but I know, also, what Ireland will think, and I value not his majority. Of the twenty-seven Irish Members amongst whom I voted, there is not one who does not feel that he is acting in this matter according to the most ardent wishes of his constituents. There is not one who is not strong in the support of those whom he represents, and for one I tell you that it is not here this question will be decided, but in Ireland [*cries of* "*Oh! oh!*"]. I am not to be deterred by that interruption from doing my duty to those whom I represent. I repeat distinctly, that it is not here this question will be decided, but in Ireland. I know the feeling of that country on these propositions; I know the feelings of those who sent me here on this entire question, and, strong in their support and their concurrence, I care not for your decision.

Mr. *Spring Rice* said, there was no real difference between hon. Gentlemen on this occasion, for all agreed that there ought to be some relief afforded to the suffering clergy of Ireland, and this proposition was assented to by the hon. and learned Member himself, who now opposed going into a Committee. The only questions, then, that remained were, out of what fund that relief ought to come, and whether it ought to be repaid? If the Irish Members wished the relief to be paid out of the Consolidated Fund, and desired that no re-payment should take place, he was sure that they would have the manliness to state that at once, and not attempt to gain their object by a side wind. The question of the mode of re-payment was, however, a matter of detail, which they could not consider till they listened to the details that were now to be laid before them. If he was not convinced that this measure was framed with the intention of benefiting the people of Ireland, there was no earthly consideration that should induce him to vote for it; but he was so convinced that such was its intention, and that such was its object, that he urged the House to go into Committee upon the subject, and there to express their opinion on the details that would then be laid before them.

Mr. *Wyse* said, it was with precisely the same views as those expressed by the right hon. Gentleman, that he had formed the determination of opposing these Resolutions. He felt convinced that the subject could not be satisfactorily settled by the present course, and, therefore, he was compelled to vote against it. On a former evening, he had opposed the Motion for the House to resolve itself into Committee, from a conviction that they had not sufficient evidence before them to legislate upon. He observed, from the evidence already on the Table, that the evidence given by Dr. Hamilton, Mr. Dwyer, and Mr. Langrishe, was greatly modified by that subsequently given by Mr. Greene. Therefore it was desirable they should wait until all the other evidence could be laid on the Table, before they were called upon to legislate. He was sure there was not a Catholic Member in that House who would not attach great importance to the evidence of Dr. Doyle—there was not a Presbyterian who would not estimate highly the evidence given by Mr. Montgomery, and Protestant Members must also attach importance to the evidence of two gentlemen who had so many opportunities of knowing the state of the country. He saw no immediate necessity for pressing this measure through the House, but it might be safely postponed, in his opinion, until the investigation before the Committee was concluded. He would caution the right hon. Gentleman against supposing for one moment, that however interested in the settlement of this question hon. Gentlemen might be, they spoke the sentiments of only a small portion of the Irish people. He could assure him they did not express mere personal feelings on this subject, but that they represented the opinions of thousands, and, indeed, gave utterance to a very important portion of the public opinion of the country. It was not as simple individuals, but in their relation to public opinion in Ireland, that they ought to be judged. He objected to the course now proposed, of proceeding to frame a coercive measure, before they knew the nature of the remedy to be applied. He could not arrive at the same conclusions as the right hon. Secretary, relative to the necessity of agreeing to these Resolutions without delay. He did not think that a case had been made out as to the clergy being placed in a situation of utter destitution, but, at the same time, he should be loth to withhold from them any pecuniary aid.

Mr. *Brownlow* did not expect that this debate would have arisen on a preliminary

Motion of this sort. He had opposed the first introduction of these Resolutions, but he had been overruled by a majority of the House; and as the Resolutions were now before them, he thought that they ought to go into the discussion fairly, and with a view to a final adjustment.

Mr. *Henry Grattan* agreed with the hon. member for Tipperary, that it was most desirable that the evidence of the witnesses who had been examined by the Committee, since the former evidence was printed, should be laid on the Table; but he had no objection to proceed, as the House had already determined that the Resolutions should be considered in Committee, although he would rather that the discussion should be postponed.

Mr. *Leader* conceived the House was in the same situation as if the debate had stood over from a former night, but every allowance ought to be made for the excited feelings of the Irish Members, who were acted upon by the extraordinary excitement which prevailed in Ireland upon this most momentous subject. He assured the House that the solicitude of the people of that country upon the questions of Catholic Emancipation and Reform, were much less than their interest in the settlement of the measure, connected as it was with the Protestant Church, now before the House. Still he considered that as it had been suggested to bring the question in controversy to the narrowest point on the first night's debate, the Irish Members made their stand on the Resolution respecting the coercive and penal laws, to enforce the payment of the last year's arrears of tithe in the disturbed dioceses. He should think it most expedient to adhere to the same course. He did not entertain a doubt that the state of that country required not temporary laws of a coercive nature, but remedial laws, calculated to restore order, by relieving the wants, and conforming to the wishes, of the Irish people. For his own part, he had not a particle of doubt but that the attempt to connect the power of the Crown, the Church, and the army, against the people, for the purpose of enforcing payment of the arrear of tithe in the disturbed dioceses, would form a dangerous precedent, and was to be scrutinized with great jealousy, and opposed with the utmost firmness; that was the point which caused the recent division, and which had excited such a strong feeling in Ireland. His hon. friend, the member for Drogheda, was highly commendable in looking for every information which could throw further light on the subject; and so was the hon. member for Clare, in his desire to have the evidence of the Lords' Committee printed and circulated. But as the Speaker's leaving the Chair was for the purpose of resuming an adjourned debate, the best way was to proceed, and for the Irish Members to expose the danger of extending any further penal and coercive laws to their country.

Mr. *Wallace* assured his hon. friend that he did not rise originally to oppose the Speaker's leaving the Chair; but to appeal to the good sense of the right hon. Secretary, whether it was desirable to press this subject, until after the evidence lately given before the Committee, was printed.

Mr. *Maurice O'Connell* wished to oppose the Resolutions as unsatisfactory, but he felt that it would be more consistent with the rules of the House to do so in Committee.

The House resolved itself into a Committee.

The first Resolution—"That it appears to this House that, in several parts of Ireland, an organized and systematic opposition has been made to the payment of tithes, by which the law has been rendered unavailing, and many of the clergymen of the Established Church have been reduced to great pecuniary distress,"—was read.

Mr. *Ruthven* assured the House, that the course now about to be pursued was directly opposed to the feelings of the people of Ireland, and, if persisted in, would produce nothing but mischief. They were now called upon to proceed with these resolutions, when the evidence upon which they professed to be founded was most imperfect. He protested against proceeding until all the evidence had been heard before the Committee, and the Report presented. The right hon. Secretary admitted that he brought forward this subject, because it was absolutely necessary to afford some aid to the distressed clergymen of the Irish Protestant Church. He would venture to assert, and he was sure that his opinion was borne out by the evidence adduced before the Committee, that the accounts of that distress had been greatly exaggerated. He admitted there were individual cases of great hardship, and there could be no objection to a temporary advance of money for these persons; but he protested against the system of coercion which it was proposed to introduce. He objected to the disposition shown by the Government to coerce the people of Ireland, when there was so much tardiness shown in bringing forward the remedial measure which had been promised. There had been great haste in submitting these Resolutions to the House, but no haste in laying the ulterior measure before the Committee. He never would consent to this measure of coercion being passed until he knew what was the nature of the plan to be submitted to the House relative to tithes. Nothing was of so much importance to Ireland, as the settlement of this question. If the clergy were in such distress as was represented, he was sorry not to see those members of that body who were revelling in luxury, come forward to assist their brethren. He was surprised to hear the right hon. Secretary read the Irish Members a lecture, but his admonitions would have little effect, if not accompanied with more salutary measures than he had hitherto brought forward. When the right hon. Gentleman said, on a former occasion, that the country wanted a lesson, and that the people of this country were not to be overawed by strong language, he was at a loss to understand what he meant. Did the right hon. Secretary consider this language as conciliatory to the people of Ireland? he assured him it was felt to be quite the reverse, and gave little reason to expect much benefit from any remedial measures to be brought forward by him. He felt that the measure to be submitted by the right hon. Gentleman, relative to tithes, was likely to be one of those bit-by-bit measures, calculated to keep open the seeds of dissension, and satisfactory to no parties. The resolution before the House had reference only to the present year, and it did not afford a redress for the wrongs committed in former years, nor would it prevent the recurrence of them in future. He must condemn the conduct pursued by the clergy in many parts of Ireland, some of whom were in favour of delivering the people over to the army and the sword, for the purpose of extorting payment of that which ought to be a voluntary offering. They were now, however, called upon to pass a Turkish law, and compel the people to give that which they could not be induced to give by other means. The clergy were to be indebted to martial law for the recovery of their tithes. He feared that the consequences of this policy would be such as all must lament. Public opinion ought to be attended to; and if the Government were not prepared to yield to it, they ought to be compelled to yield, or resign their power to those who would. It was in consequence of the resistance to public opinion, in the reign of Charles 1st, that that monarch was brought to the block. His Ministers—Laud and Strafford, fondly anticipated that they could constrain public opinion, but the result showed how much they had miscalculated. He thought every part of the present resolution was most objectionable. It appeared that the Law Officers of the Crown were to be employed in every case where the recovery of tithes was concerned. The expense of paying those gentlemen would ultimately fall on the people of England. Suppose a man refused to pay, were the Ministers prepared to send him to gaol for resisting the payment of a charge, which the authors of the resolution admitted was of so oppressive a character, that it must be abolished? Would hon. Members allow men to be sent to prison for conscience sake? Hitherto, only passive resistance had been shown, but coercion would drive the people to desperation. Besides, the expense in the collection of tithes by the machinery proposed would be most enormous. An army must be employed for the purpose, and many persons would resign themselves to the utmost rigour of the law, and even to death itself, rather than submit to the payment. In any outrages that had hitherto taken place, the causes could be distinctly traced to the conduct of the police and the military, and the people looked to Parliament for relief; were their expectations now to be disappointed? If they were, their patience would be wholly exhausted, and they would retaliate upon the authors of their sufferings by every means in their power. The object of the meetings nominally in favour of Reform was really intended to get rid of the tithes. In a country situated as Ireland was, it was impossible to expect that the people should not dislike the payment of tithes; while such a large revenue was devoted to the Church establishment for the instruction of only a small part of the people, it was impossible that they could be contented. If that Church were overthrown, it would be rather by the luxury of the clergy than the defects of its doctrines. It was impossible that the Church establishment, in its present form, could continue. It would be safer and better for the Protestants themselves if the Catholics were made more contented than at present, by a different distribution of Church property. Even the Protestants complained that the working clergy of their own Church were not sufficiently paid, while the Bishops were much overpaid. There ought to be a fair remuneration for all the useful clergy, and nothing more. He had the authority of Dr. Doyle for saying that the present system could not be carried again into execution in Ireland.

Mr. *Stanley* rose to order. He put it to the hon. Member, if he could quote the evidence of Dr. Doyle, which was not yet before the House. He would suggest to the hon. Gentleman that the resolution related to a matter of fact, and it would be advisable to confine themselves to the matter immediately before the Committee.

Mr. *Ruthven* considered it a matter of grievance that this evidence was not laid before the House in a parliamentary state, when it was printed in the newspapers. However, as referring to it was objected to by the right hon. Secretary, he would confine the few words he had to say to the point before the Committee. He must recommend an harmonious agreement between all parties, and a submission to the doctrines of expediency. He looked to some means of that kind as calculated to restore peace to the country, for nothing would prevent the people of Ireland from insisting upon the removal of tithes, and the Reform of the Church. They had no desire to infringe upon the income of the present parish incumbents, who were, many of them, worthy respectable men; but a disposition should be shown to make a future distribution of Church property according to reason, which would tend to allay irritation, and would induce the people to pay up their arrears. The hon. Member concluded, by moving the following Resolution as an amendment:—"That the state of the property of the Church in Ireland requires revision and modification, and that a reduction of the Church Establishment has become necessary and expedient, so as to facilitate the ultimate appropriation of its revenues to the uses of their original objects, viz. the maintenance of the clergy, the building and due support of churches and places of public worship, and the relief of the poor; but that, under existing circumstances, the present incumbents of parishes in Ireland are entitled to protection in the arrangement of Church property, the future regulations of which should be made upon a basis calculated to afford a proper and suitable provision for the ministry of the several congregations in the respective parishes of Ireland, as well as to supply means of materially relieving the poor."

Mr. *Stanley* said, having so often troubled the House upon this subject, he would not detain the Committee, on the present occasion, beyond a few moments. The hon. Member who had moved a resolution as an amendment to the one which he had had the honour of moving, had been guilty of an absurdity, for he had complained that the evidence was not sufficiently developed upon the subject of tithes, to enable the House to come to a proper conclusion, and yet the hon. Member had now moved a resolution founded upon that evidence, which went much further, for it not only went to pledge the Committee as to the state of the Church property in Ireland, but that there should be future regulations to afford a provision for the ministry of the several congregations, as well as means for the relief of the poor. He objected to this amendment, and he did not consider the present as the most convenient time for going into the whole question introduced by the hon. Member. Whenever the subject should be regularly introduced before the House, he should be ready to discuss it; but, as he had already said, the present was not the proper time to bring it forward.

Mr. *Gally Knight* confessed that the arguments advanced by the hon. member for Downpatrick had confirmed his opinion, that the evidence contained in the first Report of the Tithe Committee not only justified the Resolutions proposed by the right hon. Secretary for Ireland, but made it imperative on the Government to act without delay; not so much on account of the state of the Protestant clergy, as on account of the state of Ireland itself. He would yield to no man in regard for that country. He became acquainted with it, at a period of life when impressions are deep and lasting; and earnestly desired to see her happy. It was painful to him, to pursue a course said to be opposed to the wishes of the Irish people; but it would be more painful to do that which he thought wrong. He regretted to hear that which he considered an inestimable boon, represented to be a burthen. He had laboured hard in the cause of Catholic emancipation, because it was the cause of justice, but he entertained the hope, that the gratitude of Ireland would have been the reward. He entertained the hope that, in consideration of that concession, Ireland would have endured other evils with a little patience; and would have allowed the Legislature time to redress them. To him it was no small disappointment to hear on the present occasion expressions of dissatisfaction; and, when the Legislature appeared with fresh gifts in its hands, to be overwhelmed with fresh demands. Let them look back for a moment; let them remember what was the grievance which, till very lately, was alleged to be the most vexatious grievance that afflicted the people of Ireland. Was it not the intrusion of the Protestant tithe-proctor into the Catholic cabin? Was it not the collision of the tithe-proctors and the peasantry which so frequently produced these scenes, of which it was painful even to think? Surely the entire abolition of such a system was no trifle either to undertake, or to bestow! Was it not, on the contrary, an undertaking surrounded with difficulty—an undertaking as bold as it was humane? Was it, then, to be expected that so many hon. Gentlemen, immediately connected with Ireland, instead of seeing this measure in the light in which it might have hoped they would have seen it, would be heard to declare, that what was hitherto thought the greatest of all grievances was only a very minor grievance; and to assert that the measure proposed contained nothing of a conciliatory nature? He would not presume—he had no right—to reprove. He spoke, not in anger, but in sorrow, when he appealed to those whose words were words of power; and when he attempted to express his grief that they should employ that power rather in accordance with the passions of their susceptible countrymen than in clearing away the mist from their eyes. Such men as they were could not be mistaken: they knew what the tithe system was in Ireland; they must know that the abolition of that system was a beneficial measure. How, then, could they have the heart to tell a deluded multitude, who looked up to them for advice, that the abolition of that system was no boon at all? and, when the measure in preparation might have been received with delight, how could they poison the very springs of joy, and pour that beverage into the peasant's cup, when he might have tasted the waters of health? Did he tell them that this concession was to be the last, or ask them never to look for anything more. No, he, on the contrary, allowed that more must be done; that more ought to be done. But he called upon them, as reasonable and practical men not to declare that nothing was done because all was not done, to acknowledge the difficulties by which measures of such vast importance were surrounded, to give time for those difficulties to be gradually removed, and whilst they looked forward to the future with hope, to contemplate the present with approbation. Allusion had been made to future elections and future constituencies; but were they to mislead their countrymen in order to secure their votes? It was not absolutely necessary for a man to be a Member of Parliament. He might pass his time happily and honourably in a thousand other ways—but it was necessary for him so long as he was a Member of that House to consider nothing but the real good of his country. If he knew that the vote which he intended to give that night were to cost him his seat to-morrow, he trusted that it would undergo no alteration. He had practised what he preached; and he trusted, that, in any sentiments which he might deliver in that House, he should at no time be found to be influenced by any considerations of popularity, or fortune, or fame—by no consideration but what he believed to be the real good of the empire. There was nothing which he so ardently desired as to see Ireland in a state of repose. Why was that unhappy country to be for ever torn and convulsed by excitement and agitation? Why was she never suffered to know what it was to be tranquil? and was it her own sons who prolonged the distraction of their parent! and, instead of helping the Legislature to bind up their wounds, bid them bleed anew! He conjured his countrymen to have mercy upon Ireland—on their own country! and, instead of telling the people to remain discontented, enjoy the sweet and holy triumph of guiding them to their good! If this subject were calmly and dispassionately considered, it must be allowed that a complete and final commutation of tithe must place all parties concerned in an infinitely more satisfactory situation. But, the proposition of the hon. member for Downpatrick—to apply the tithes, or any other part of the Church property, to other than ecclesiastical purposes was not to be thought of. Whatever the Church enjoyed had always belonged to the servants of the altar. Whatever the Church enjoyed belonged to the Church by as good a title as the layman's estate belonged to the layman. No part of the Church property was ever, in these islands, charged with any provision for the poor. No part of the Church property was ever bestowed by a grant of the nation. The whole of it was nothing but the free gift of pious individuals, confirmed by the laws of the land. How, then, could it be considered as national property, applicable to other than ecclesiastical uses? If an act of spoliation were committed on the Church, a blow was struck at the root of all property, and the consequences would be no less dangerous than the act would be unprincipled. He did not mean to say, that, in Ireland, no change in the distribution of the Church property would be admissible; because the ministers of the national Church, which in Ireland, was the Catholic, did not, at present, receive any part of that property, and because he was convinced that some change in this respect was essential, not only to the welfare of Ireland, but to the existence of the Protestant Church. He rejected with scorn and abhorrence the modern and revolutionary doctrine that Church property was public property, applicable to the purposes of the State; but, in Ireland, he was anxious to see a more equitable distribution of the Church property amongst the clergy themselves—he meant the Catholic clergy as well as the Protestant. And whenever this important measure should be adopted—and adopted, he was convinced, it must be at no distant period, he hoped it would be no half measure—no miserable attempt to keep up the revenues of the Establishment to their present amount. He wished the measure to be extensive and complete, in order that it might be final. And now, one word with respect to the measure of coercion:—From the manner in which this measure had been reprehended, one should think that martial law was about to be instantly declared throughout the whole of Ireland! one should think that the tithes were forthwith to be collected at the point of the bayonet! But what was the truth? That Government should be invested with the power of calling upon the debtor to pay a part of those debts, which were, on all hands, allowed to be just—at the same time relieving him from all the legal intricacies, and hateful reminiscences, of the old system, and at once concluding the vexatious and indecorous scuffle between the Catholic peasant and the Protestant minister. Would any man seriously say, that England could be expected to advance the money for the liquidation of the debts of Ireland, without taking any security for being repaid. Would any man say, that any Government would be worthy of the name, that permitted the laws to be eluded because they had been disobeyed? But they had been told that the Irish peasant could never be made to comprehend the propriety and advantage of the change—this *hocus pocus* conversion of tithes into land, and the substitution of the King in the place of the Protestant clergyman. In reply to this, he must say, Paddy was by no means a dull fellow. He had heard of his ignorance of English when called upon to give evidence; of his being a little deaf when desired to do what he disliked; but he must be allowed absolutely and entirely to deny his dulness of comprehension. Let the matter be explained to him as it was, and he would quickly understand it; and, if he had a head to understand, so had he a heart to feel—a heart which was in the right place, and which only wanted to be aware that kindness was meant, to be ready to overflow with gratitude and good-will. For the reasons which he had stated, he felt himself bound to support the proposed Resolutions. He thought that the evidence already before the House warranted them in going thus far at present. In his opinion, the coercive part of the Resolutions was amply compensated by the conciliatory part—the promise of commutation. This step was a great one: all could not be achieved at once; more would be accomplished hereafter.

Mr. *Henry Grattan* said, the hon. Member who has just sat down (Mr. Galley Knight) surprises me: he says, that the property of the Church is appropriated as it ever was, and ever must be; he denies the public and charitable appropriation. I beg to say he is mistaken: let him turn to ancient authorities—turn to Origen, who wrote "that the Church should not devour those things that belonged to the poor and the widow, but be content with simple diet and apparel;" to Prosser, who wrote "that the minister able to support himself ought not to participate in the food of the Church;" to the decree of the council of Antioch, which says, "that the Bishops do distribute the goods of the Church," but required "that they took no part to themselves;" to the council of Nantz, which declared, "that the clergy were not to use tithe, but as committed to their trust, to be disposed of for the use of the poor." Tithes were called "the Lord's goods"—"the patrimony of the poor." The hon. Gentleman mistakes terms, and confounds principles—he narrows the term "Church" to the clergy, whereas its real acceptation among others is "God's people," the "poor and the destitute." How then can he say, that the clergy possess an exclusive right to this property? What is their title but the Act of Henry 8th? They hold their property under this law, and under no other title, and they hold it subject to the ancient uses for which it was intended. The Report of the Committee, in one part, seems to favour this interpretation, for it speaks of an extensive change in the present system of maintaining the clergy, and of the complete extinction of tithes, therefore, I support the Amendment, because it is similar to one I intended to submit to the Committee—because it reverts to original principles, and because, while it secures the best interests of the clergy, it points out a provision for the poor, and a relief for the people. This is what we ask—this is what we conceive to be just, and we know it to be requisite. Allow me to say that I conceive it to be one of the misfortunes of the Ministers of England, and originally the cause of the distress and disgrace which now attend their Government of Ireland—that they should never have heard the language of truth, except in the complaints of her people. Perhaps, it is not yet too late to correct this original error. The Irish themselves are far from thinking the noble Lord, who in this House presides over the Administration, capable of a direct attack upon their dearest rights, and the legal protection of their persons and their property. They are ready to hope for much from his honest intentions and from the natural benevolence of his disposition; if it were possible in us to form a suspicion dishonourable to his character, I hope we should adopt a style of remonstrance very different from the humility of complaint. It is worth while, considering how far we agree, and where we differ—first, we agree on the great importance of the subject—it is not only an Irish but an English question. To the Irish it is a question of life and death—to the English it is one of security and repose, for England can never be safe unless Ireland is tranquil. I agree in the three first Resolutions. Though I differ on the principle laid down, I do not admit the right of the clergy to come to this House, and ask for the arrears withheld, any more than I would the right of a landlord. On the contrary, I conceive a good resident landlord preferable to an absentee clergyman, who has no church and no parishioners—but I am willing to grant as a benevolence what I deny as a right. Here, too, the case is overturned, and not fully made out; it is founded on partial testimony, and the most essential evidence is not yet before the House. The fourth Resolution is the most objectionable. If I refer to the Report, I read there that "rigorous measures" must be adopted, and the execution of measures of severity. If I refer to the speech of the Solicitor General, I find that he is only to dispense with the service of process. Can I believe this to be the only thing in contemplation? Impossible; if the Resolution means to be effectual it does not go far enough. I will not trust such a Resolution. This Committee was called a blind Committee, and this I call a muffled Resolution; it is brought in, too, with a theatrical parade, and is cautiously kept from the view, where the drapery conceals the bowl that is to lull our senses, and the weapon that is to wound us to the heart. Can the Solicitor General imagine that he removes the evil by dispensing with the legal form of the process? I tell him no. He will be just where he stood before, for what becomes of his decree? who is to buy? who is to purchase? He dispenses with the form of law, but will that secure a sale, or procure a single bidder? He must know it will not, and he is likely to find that his royal prosecutor will prove to be the only purchaser. Sir, the fault I find in the mode of treating this subject is, that the people of Ireland are wholly forgotten. The Secretary for Ireland talked much of the clergy and their usefulness—he forgot the people—

he talked of the military and their arduous labour—he forgot the people. He talked of the police and their dangers, and their losses, but he forgot the people—he forgot their wants, their complaints, and their sufferings. I much doubt whether a lofty tone and a dictatorial phraseology is best suited for the case, the crisis, or the country. We are told, you "must vindicate the authority of the law—assert the dignity of insulted justice—do not offer a premium for revolt against the law, or give any reward for disaffection." In my judgment the question is not whether we should vindicate bad laws, but amend them—not whether we should assert the dignity of an oppressive and unjust system, but totally reform it—not give premiums for abuse in the state, but remove them at once and for ever. Now, I conceive the remedy is not the strong Resolution, but a Resolution for redress. English gentlemen deceive themselves if they imagine that by changing the name they remove the evil. It will still exist, whether paid by the landlord, or extracted from the tenant—the abuse will still exist. The trust remains violated, and the country discontented, for it is not the amount of tithe so much as its bad appropriation. The people look to this, and will not be satisfied until they obtain it. But here we are told, in ominous terms, that "the day of collision" has been put off. The day of collision! Are those the words of the Secretary? Has it come to this? Has the Government—or the effect of all your varied governments in Ireland, indeed, only come to this, "that the day of collision is put off." Sir, I make no comments on the prudence of the phrase—but I here take leave to caution the people of Ireland. I call on them to mark these words; to ponder over these words; to be cautious what they do; to be careful that they be not entrapped by insidious friends, or deadly foes; to guard, as well as to control, their passions and their acts, for they may depend upon it, that violence will frustrate their object, it will defeat their friends, destroy their cause, and endanger their country. But I rely on it, that an antidote to violence will be found in the good conduct of the people, as I am sure it will be in the good feelings of the government. The right hon. Gentleman proceeded to attack the Irish landlords—an old theme, and not a just one—and much overstated. In some cases they may be bad landlords, as well as in England but, as a general charge, I deny it. See, however, the policy of this attack. The right hon. Secretary finds two parties in Ireland at variance—the clergy and the people—and he sets at variance two other parties—the landlords and the people; and he does so at the moment that he proposes to tax the one without relieving the other—to make the landlord pay the tithe, to make the tenant pay the cess, and thus he gives all to the Church, and takes all he can from the landlords and the people. Connected with this he revived the stale subject of the subdivision of land—that miserable crotchet on which the fleeting fame of so many Irish Secretaries hung and expired. The Subletting Act he spoke of—the Subletting Act he exclaimed against, and most emphatically did he say—"in my conscience I believe the Subletting Act to be the curse of Ireland." Sir, without offence, let me say, what is the curse of Ireland? Sir, the curse of Ireland is an inexperienced Secretary. Is this my opinion alone? No, Sir, *non hic sermo meus;* look to Carte's life of the Duke of Ormonde; the evils of Ireland he attributes to the constant changes of the civil officers—men sent over ignorant of the state of that country, and recalled before they knew the wants and wishes of the people, and had time or knowledge sufficient to relieve them. Fraught with his official learning, and his historical advice, the right hon. Secretary proceeded, and observed, that the time had now arrived, in which we must—"teach a lesson to the people of Ireland," such were his words, and he added, "Ireland must no longer look to her turbulence and her agitation." Teach Ireland a lesson! Is this the language? Why, they have taught her nothing, nothing but lessons—lessons, too, that she sadly remembers. I pass over the Boyne, Aughrim—even the perjured faith of the treaty of Limerick; I lay aside that lesson—I turn to the books on your Table—I refer to the Acts of Elizabeth, and her proclamation enjoining torture to her president in Munster. What will the Secretary say of that lesson? I refer to the journals of this House: read the solemn vote of thanks to the Almighty, offered up to Heaven for the sacking and the three days massacre at Drogheda; here, was indeed a lesson, and under correction from the hon. Member opposite, who invoked, the other night, repentance and a general fast—I say a most pious lesson this was, truly. I refer to the treaty of Charles, and his breach of faith towards the Irish people, and his infraction of their petition of right. I refer to the cowardly treachery of another King, the second James, who after having embarked the Irish nation in his cause, basely fled from his own fire, and justified those words—"Put not your trust in Princes." I dwell not on the lesson taught by the Tories of old, or the Roundheads, or the Cavaliers—I come to 1779, and 1782, when, on these benches, sat my Lord North, deaf and insensible to the complaints of the people of Ireland. They asked for free trade and a free constitution, the people were patient—though they were starving—they were suppliants—they were but humble petitioners; but the Minister was deaf—he refused to yield—he talked, too, of "vindicating the law"—he, too, spoke of "mobs and insulted justice"—and he refused everything. But, in two years time, when the Irish nation had buckled on her armour, and the clang was heard from field to field—when there were 100,000 men in arms, and 300 pieces of cannon there—then the Minister came down to this House, granted everything, yielded everything, repeal of Poyning's law, independent legislation, even the restoration of the final judicature, which had not been originally demanded, and thus he yielded to violence that which he had before refused to justice. This was, indeed, a lesson, and it is treasured in the recollection of the nation—a lesson, however, to the minister as well as to the people; but later, in 1791-2, when the privileges then demanded were sternly refused; when the petitions of the people were not merely rejected, but actually kicked out of the House, how did the Minister act? He refused every thing to calm request and sober petition, but, as soon as the battle of Jemappe had been lost, then he hurried down, and made a precipitate surrender. Here are lessons surely that we cannot forget; we cannot belie the history of our country, and though we may forgive our wrongs, we cannot forget our education. But I turn to the ex-Secretary opposite. Ireland need not go very far back. She need only look from the Secretary in to the Secretary out, from the right hon. Gentleman at this side of the Table to the right hon. Gentleman opposite. Did not the right hon. Baronet refuse the requests of the Irish people? their calm demands, and their just prayers; Session after Session, year after year; five years, ten years, twenty years—no concessions. Nay, the very reverse, for both those Irish ex-Secretaries declared that they opposed all concessions, because they wished to uphold the Church and the Constitution of the country; and I saw and heard them afterwards both declare, that they yielded what they before denied. The one said he did so to uphold the Church, and the other to preserve the Constitution!!! Do I blame them for thus retracting?—No. The feelings of humanity triumphed over the errors of an early education, and the precepts and principles of the Dublin Castle were for a moment forgotten. But when was this? Not until the public calamity had reached its height—not until the waters of bitterness had nigh overflowed the land—not until the hour of collision had almost arrived—not until violence and agitation had so increased that the very phrase became part of the viceregal phraseology—then, but not till then, you yielded. Here, then, is a lesson with a vengance! Here is your own lesson of twenty years' practice held up to your view. Is it then just, is it fair, is it prudent—nay, is it expedient, to turn upon us—thus to taunt—thus to upbraid the country? Teach Ireland lessons, truly! What extravagance!—what insanity of phrase! Talk not to her of vindicating justice. Read in your own lesson your own errors. 'Tis you, 'tis you, who have misled the people—'tis you who have brought them on to dangerous ways: and do you now not only desert, but upbraid them? This is another and an additional lesson. You have deceived the country—you have taught Ireland these dangerous practices, those fatal lessons of immorality—you have poisoned her with your deadly potions until the profligacy of the master has almost become the daily bread of his mistress—then you turn on the unfortunate victim of your bad passions, and, in the moment of her distraction, you recite the catalogue of her errors, (your own crimes) and preach to her a homily upon the doctrine of forbearance. Yes, Sir, Ireland has learnt a lesson. Ireland has dearly purchased it. Agitation is the price that Ireland has ever paid for liberty. I wish her laurels had worn well, for they were dearly earned. The right hon. Baronet objected to my friend, the member for Kildare, on account of his expression that he considered tithes a badge of servitude. Sir, I adopt the phrase—it is a badge of servitude: and my hon. friend need only look to Scotland—there he finds a nation who considered it a badge of servitude to have imposed upon them as the religion of the state that which was not the religion of the people. They successfully resisted, and they succeeded. But my hon. friend did not object to pay that Church—for he pays now the Presbyterian. His objection was, to the abuse of the trust. The objection was, that the poor curate, who works, gets little, and the rector, who does not work, gets almost all. Look to the petitions on the Table. That from Gowran parish, where there are 2,700 Catholics, and only thirty-three Protestants, and the tithes are 550*l.* Ballyconheen, county Waterford, there are no Protestants, the tithes are 378*l.* Aglis, county Cork, fourteen Protestants, 610*l.* tithe; Monasterboyse, all Catholics except the curate and his wife, tithes 800*l.* a-year; Cloney, no church, no resident clergyman, tithes 300*l.* a-year; Kilcork, no Protestant, no church, no clergyman; Dungarvan, seventeen Protestants, tithe and cess 500*l.* a-year; Monaniny, one Protestant family, tithes 400*l.* a-year. These are just grounds of complaint. The people see no services performed, and pay heavy taxes notwithstanding. But is there no abuse besides this? I hold here a tithe-proctor's receipt. The tithe due was 5*s.* 3*d.* and the costs of distress and sale, and proctor's fees, amounted to 13*s.* 10*d.*—For this the poor man's pig valued at two guineas was sold, and the change returned was 1*s.* 11*d.* I hold another receipt for 10*s.* two years' tithe of an acre of bad meadow, demanded and paid seven years after it was alleged to be due—clearly an illegal demand. What is the case of turf or smoke-money, as it was called? This, too was clearly an illegal demand, and, so far back as the time of Lord Clare, he stated in Parliament that the demand for turf was an illegal demand. I contend the people pay more than the tenth if all costs and expenses are considered. The member for Preston said, in England the tithes were often one-fifth of the rent. I instanced the case of the parish of Timoleague, 2,800 acres, the rent-roll valued by Government valuation at 1,700*l.* a-year, and the tithe 414*l.* a-year, or near a fourth. And here the first quality of land I find valued at 9*s.* an acre. What is the case of Kilbrue parish? There thirty-three acres were tithed at 36*l.*, or one guinea an acre. I conceive that was near one-third of the rent; and I would wish to ask, how much of the produce? In fact, if the case is closely examined, it will appear that the charges are not only unjust, but exorbitant. See the cases when tithe is thrown out and the party still proceeded against by bill in the Exchequer. Should not these grievances be remedied? And do the Resolutions go to any effectual remedy of these points? But, is there no other evil? What is the case of Church cess? Is this no complaint? See the occurrence that lately took place in the county of Monaghan, where an unfortunate man's goods were seized for Church cess, and the implements of his husbandry were taken. This was clearly illegal. He resisted, and was killed on the spot by the collector. The amount of the cess was only sevenpence. The man was tried at the last Assizes for murder. The warrant was declared to be illegal. The Jury were sent back to their room three times, and at length brought in a verdict of acquittal! These things naturally inflame and excite the people; the more so, when it appears that clerical Magistrates act in such cases, and when warrants for Church cess are ordered and signed by clergymen. This is another evil; and the Magistracy should in this instance be reformed. I say, that it is idle to think these Resolutions will afford a sufficient remedy. You must go to the root of the evil. You must reform so as to afford redress. The people, I am sure, will be tranquil. I am also sure they will not be denied. They see the whole of their case, and Session after Session will bring it before the Legislature; and, by persevering in a constitutional course, will finally procure redress. For my part, I do not stand in need of their instructions, or even of the requests of my constituents. Justice is on their side; and, in seeking for that, we seek not the spoliation of the Church, or the downfall of the Establishment. On the contrary, its fall is more to be apprehended from its overgrown wealth than from any lopping off of so gorgeous and superb a structure. Depend on it the question is more deeply rooted in the minds of the people than Gentlemen suppose. It is in vain to hope they will be satisfied with a mere change of name. The appropriation is what they look to. I repeat it, that it is a question of life or death. I would not advise the Minister to go to war with the people of Ireland.

Mr. *Lefroy* said, as a friend to the Church, to the law, to good order, and to the connexion of Ireland with this country, a connexion so important to the welfare of both, he could not sit silent, nor content himself by merely giving a vote on this question, without making some observations upon the doctrines which had just been advanced by the hon. Gentleman. He thanked the hon. member for Downpatrick, for having brought forward a distinct Resolution, which would at once give the House an opportunity of ascertaining whether the Church enjoyed its property by sufferance only, or by right and title. The Resolution, however, although professing to be one of peace, purported to refer to the original title of the Church, and to look back to the first application of Church property; but the hon. Member in the course of his speech abandoned altogether that ground. It was then taken up by the hon. Member who last addressed the House; for in the beginning of his speech, he insisted upon the right of the application of Church property after the manner he mentioned; and in the very concluding sentence of it he called upon the House to apply this property according to its original trust. It was, therefore, of importance that it should be ascertained whether there was any ground whatever for this claim now made—this obsolete and, as he had considered, abandoned claim with respect to the application of Church property to three or four specific objects. When, on a former occasion, an hon. Member quoted a passage from Blackstone in support of this claim, he (Mr. Lefroy) had taken the opportunity of saying, that if he had looked a little further into Blackstone, he would have found that the construction he put upon that quotation was totally unauthorized; and that Blackstone did not use the words in the sense in which the hon. Member had interpreted them. He had not heard from that hon. Member since, or of the doctrine which he founded upon that authority. He, therefore, took it for granted that he had given up a position so untenable. The hon. member for Meath had referred to a vast variety of continental authorities; but had he referred the House to any act of the King in Council, to a single Act of Parliament, or to a single decision of any court of law, or to any dictum of any Judge, which maintained the doctrine, that Church property was originally applicable to the sustentation of the poor, of the Bishop, and the incumbent, and to the repairing of the Church? Had he mentioned a single trace or vestige of authority of any such right having been insisted upon or enforced? He should like to know what sort of right that was, for which no authority of law could be produced, and for the exercise of which no precedent could be found within legal memory, or even in the course of tradition. It had been said by the hon. Member, that the Church derived its title from an Act of Parliament, and that Parliament had a right to deal as it pleased with Church property, because it was originally given by Parliament. He would take leave to ask the hon. Member upon what he founded that position? The Church derived its property, not from the State, nor from Parliament, but from original endowments. She derived her property from the very same source, by grant and endowment—from which every hon. Member in that House, and every noble Peer in the other House, derived his estate. Those estates descended to them, charged with the payment of tithes, and the Church had the same qualification for enjoying them as those persons had to enjoy the remaining nine-tenths. It was a great mistake to suppose that the Reformation consisted in a transfer of Church property. The Church property at the Reformation remained in the hands of the Church, and had been transmitted to those who held it now. The Reformation consisted in the modification of the Established Church, in respect of doctrine, discipline, and supremacy. But the property of the Church at the time she, in convocation, made that change in doctrine and supremacy, and conformed her discipline to it, consisted of less than 200 livings, and these have been transmitted to her successors: it was a great mistake, therefore, to say that the Church derived her property from an Act of Parliament. The only property transferred by Act of Parliament, was property vested in the monasteries, and what was not transferred from the monasteries, vested in the Crown. In all those original endowments, of which there were many now forthcoming, there was not a single vestige of proof that any part of the property was intended to be devoted to the poor, and to the repair of the Church. But if there were any foundation whatever for the claim to a third, or a fourth, in point of law, the fact could be established, that the Church of Ireland did not enjoy more than a third or a fourth of the tithe. According to the evidence before the Committee, it was quite plain that the clergy of the Church of Ireland did not levy for their tithe even so much as a third of their right: therefore, upon any hypothesis, the claim now made on the behalf of the poor was not sustainable. But it had been said, that in several parts of Ireland the proportion of the Catholics to the Protestants was so great, that it was most unreasonable that the tithes should be applied to the maintenance of the Church of Ireland. Then a claim was set up on behalf of the majority, for the maintenance of their Church. But the majority for this purpose must be, not a mere numerical majority, but a majority of those who paid tithes. Now of the property in Ireland seven-tenths belonged to the Protestants. When Gentlemen talked of levying a tax on the majority, for the maintenance of the minority, they used the word majority in a sense totally inapplicable to this purpose. The question was not a numerical majority, but a majority of those who had the property charged with tithe. But if the numerical majority had a right on that ground alone to the one-tenth, upon the same principle they would have a right to the other nine-tenths. There was no ground of distinction; nor could any such claim be sustainable to the one-tenth, which would not extend to the other nine-tenths. This doctrine, therefore, would go to the total subversion of all law, and of the constitution of society, when that claim, founded upon the entire subversion of the popular principle of law, was asserted and mainly rested upon by Gentlemen in that House. He rejoiced to find that a system of spoliation was disclaimed by his Majesty's Government. He trusted the declaration made by the noble Lord last night, namely, that the property of the Church was only to be applied to the purposes of the Church might be considered as a satisfactory assurance that his Majesty's Ministers were perfectly sincere in their desire of benefitting the Church by this measure: at the same time that they were endeavouring to afford relief to the people by altering the mode of collecting the Church property. He felt that it was a measure which, as a friend to the Church, both of England and of Ireland, might be good, accompanied, as it had been, by the assurance, and by the recommendation of the Committee, that the rights of the Church should be preserved, he might well assent. If these pledges should be redeemed, and the Church property be put upon a footing that would hereafter advance the cause of religion, then would the change now proposed be beneficial. It was in the belief that such would be its result, that he gave it his support. But, on the other hand, if it was intended to take from the Church any part of its property, or to put the clergy in a condition of mere rent-chargers, then he considered himself bound, and trusted that every friend of the Church would feel bound, to oppose a measure of that sort. With respect to the Resolution for enabling his Majesty's Government to take effectual measures to recover the rents, he trusted it would not only have the sanction of that House, but that it would be put into execution by the Government with vigour and determination: for he was perfectly satisfied they must make up their mind either to govern Ireland effectually, or to lose it. That country was now in such a state, if it was to be left to accident and agitation, and to the power of those parties who had had possession and dominion over it for some time past, he was perfectly satisfied it would be lost—lost to England and lost to itself; because he was sure that the best interests of Ireland would always be maintained by its connexion with England; and that by a severance from England, Ireland must be lost.

Mr. *Penrhyn* said, it was not his intention to trespass more than a few moments on the time of the House. He felt that this was an extremely important question, and trusted that, in approaching the discussion of it, he might be thought to do so with no other feeling, and no other wish, than to follow that course which appeared to him to be promotive of the best interests of Ireland. In his opinion those interests would be best promoted, by measures which should evince an anxious desire on the part of the Legislature to conciliate, and not provoke that hostility which, unfortunately, had reigned so long between that country and this, and which had checked the prosperity and growing interest that otherwise would have taken place between countries so intimately connected. Looking at the state of Ireland generally, but more particularly looking at the state of that country in regard to the system of tithes, it was evident that the time was come when it was absolutely necessary for his Majesty's Government to take up that question with a view to its permanent settlement, and of putting an end, for all future time, to those evils which that question had produced. From the events which had recently occurred, it was obvious that any measure to be final and satisfactory must proceed from the Legislature. A question attended with so many difficulties, and involving so many vested interests, could not be satisfactorily settled by any Government, nor ought the Legislature to leave it to any Government to settle. No government could have, or would deserve to have, the confidence of the people, that did not enforce the law as long as it was the law of the country; while, at the same time, it was equally imperative that it should attend to the complaints of the people, and to provide such constitutional remedies for their grievances, as, by the aid of the wisdom of Parliament, might be thought most applicable to the case. Judging upon this principle, he was not aware that the present Government were open to the imputation of not having done their duty to the country. It did not appear that they had, on the one hand, omitted to exercise the powers of the law, wherever the exercise of them was demanded—or, on the other hand, neglected—to apply a remedy to the grievances of the people, when those grievances were made known to them. But it must be admitted that there existed in Ireland two very opposite parties, and that the difficulty of governing that country was considerably aggravated by the collision of those parties; and it was almost impossible for Government to adopt any course which should give satisfaction to both. He trusted that the Members of that House, whether from Ireland or not, would feel it to be their duty to legislate, not for a party, but for the nation at large. When the powers of the law were found insufficient to preserve the peace and to protect the property of the country, it became the duty of that House to support the Government in their application for additional powers; and, in the present case, his Majesty's Ministers had acted that part which was best adapted to promote the real interests of Ireland; while, by their determination to enforce the law for the upholding of the rights of the Church, they had given a most eloquent refutation to the charge that had been made against them of their being a popularity-hunting Government. The Resolutions appeared to him to contain in them all that was essential. First, it was proposed to provide for the immediate and pressing wants of the clergy; secondly, to vindicate the law so long as it was the law of the land; and, thirdly, to hold out to the people a promise that the more immediately urgent measures should be followed up by such other measures as should for ever put an end to the evils of which they complained. It had been said that the evidence upon which they were proceeding was insufficient. He readily admitted that it was insufficient to enable the House to determine what should be the remedy; but this was an extremely different thing from what they were now called upon to do. He did not believe anything would give more satisfaction to the people than to point out a remedy before the danger came; for what were the facts to which the attention of the House was called? First, that there was in Ireland a systematic resistance to the payment of tithes. Was there any person who had read the evidence before the Committee, that would not admit that such was the case? The next fact was, the insufficiency of the present law. To this fact they had the testimony of the men whose duty it was to carry that law into effect, and they all declared the impossibility of recovering tithes under the existing law. As to the next point, with regard to the necessity of some remedial measure, surely they had ample evidence. Ireland was now undergoing the fiery ordeal of Irish agitation. There were persons in Ireland who, by every means in their power, were exciting the hostility of the people to the system of tithes. The magic word had gone forth; and by means of public meetings, of political pamphlets, and pastoral letters, a system of resistance had been successfully established throughout many of the counties in Ireland. It would be sufficient for him to state that that feeling had begun to take possession of the minds of the peasantry of Ireland, and that it had caused them to offer no longer, even that passive resistance with which they commenced. As a proof of this he would remind hon. Members of the occurrence at Bennett's Bridge; and only desire those who were incredulous on this point, to look into the daily papers of Ireland, where they would read of the constant and open resistance that was now made to the payment of tithes. When those pastoral mandates were issued, he was quite sure the parties had no idea of what the results would be: but this only shewed to what extremes the people would go in opposing what they conceived to be an unjust law. The consequence of all this had been, to reduce highly respectable clergymen from that station in life which, by their connexions, education, and calling, they were entitled to hold, to a condition in some cases, of the most distressing description. It had been said that this was mainly owing to their own exactions. Without pretending to deny that there were some instances in which this accusation might be properly brought, he would maintain that the clergy, as a body, were not liable to the charge. He did not believe that the Catholics themselves would make so sweeping an accusation. So far from this being the case, he could fairly assert that the clergy, in very few instances, had received anything equal to their legal rights, few indeed had exacted so much as they would have been entitled to, under the Composition Act. But if there were matters on which they might differ, there were other points on which they could not but agree. They might differ as to the paying collecting, and distributing of tithes, but it was impossible for them to entertain, different opinions as to the necessity of meeting the claims of the clergy, not only upon their humanity, but upon their sense of justice, in this, the hour of their adversity. His Majesty's Government, however, had another, and a very important, duty to perform, and that was, to support the laws so long as they were the laws of the land. No person who wished well to good order and to the very being of society, could permit the people to take the law into their own hands, and be themselves the arbiters of what should or should not be considered a lawful claim. It was quite evident, that if any Government once permitted this, as regarded one species of legal demand, the same popular doctrine might soon be made to apply to rents and debts of all descriptions, as well as to tithes. They were told to wait until they could bring forward this remedial measure; but were Gentlemen aware that the spirit of resistance was spreading itself day by day, and that if any delay was suffered to take place in checking its progress, the whole people of Ireland would be subject to the interdict of the agitators? No man entertained greater aversion to acts of severity than he did; but, at the same time, he felt it absolutely necessary that the authority of the law should be vindicated. It was most dangerous to allow the system of preventing those farmers, who thought they ought to pay the clergymen, from doing so, by the influence of terror. A similar system was pursued with regard to the clergyman, who was afraid to resort to that legal remedy which the law allowed him; and with regard to the Jurors, who were afraid to give a verdict against the defendant in tithe cases. Such was the state of things in Ireland, and it was one which required the strict attention of his Majesty's Government, and they ought to consider well whether the authority of the law should not be enforced, in order to put a stop to this system of terror. It was the bounden duty of Parliament to assist the clergy in the recovery of that to which, by law, they were entitled. The course recommended by his Majesty's Government was calculated for the attainment of this object; and, therefore, it had his cordial support. At the same time, he would not support the giving any authority of this nature, if it were not accompanied with such arrangements as would satisfy the people of Ireland, and the adoption of some general system of paying the clergy, in the place of the present obnoxious tithe system. He had observed with regret, that those who had influence over the public mind in Ireland had thought it right to oppose the Government, for if they had taken a different course the propositions would have received the willing assent of the people. All parties agreed that the clergy should be relieved, and no better course had been suggested than that laid down in these Resolutions. There was a systematic violation of the law in Ireland; measures had been employed to excite the people against it, and such power ought to be intrusted to his Majesty's Government as would enable it to enforce the law.

Mr. *James Grattan* was very desirous to see peace and tranquillity restored in

Ireland, but he confessed that he did not look upon the measure which the right hon. Secretary had it in contemplation to bring forward as calculated to still the agitation or to quell the unquiet feeling which was abroad in Ireland on the subject of tithes. There was not an Irish Member possessing a single acre of land in Ireland who was not affected by the question; and they owed it to themselves, and to their constituents, to sift the matter thoroughly, and prevent any renewed oppression. He must complain of the manner in which the Committee, to which the investigation of the question had been referred, was constituted, and the consequence of which was, that, with the exception of a single witness, all the evidence was in favour of the tithe party. He deprecated all hurry in passing any measure on the subject. He wished to facilitate the settlement of the question, and would promote any measure which he thought would succeed; and he now advised delay, because he did not think that the Resolutions proposed would have that effect. He denied that the distress of the Protestant clergy in Ireland was so great as it had been represented to be. On referring to the evidence, it appeared that the rev. Mr. Butler said, that the whole of the composition for the rectorial and vicarial tithe in his parish amounted to about 570*l.*; and between 300*l.* and 400*l.* of this was collected. This Gentleman collected his tithes to November, 1830; and no case of distress had been made out in that instance. The rev. Mr. Cotton, son-in-law of the Archbishop of Cashel, and Archdeacon of that diocese, rector of Thurles, and vicar of the union of four parishes, called Lismalin, stated, that his income was upwards of 2,000*l.* a year, but that last year he could collect only 50*l.*, and that more than half the tithes of 1830 was unpaid. He had been able to collect less than any other person; but he could not be in great pecuniary distress, looking at his connection with the Archbishop of the diocese. Again, the rev. Mr. Robarts had not been able to collect more than a very small portion of his tithes. The rev. Mr. Dwyer held a living of 800*l.* per annum, and had not been able to collect more than a portion of his tithes. It was given in evidence that the clergymen were obliged to lay down their horses and carriages, in consequence of the withholding the payment of tithes; but if that was the extent of the distress, it did not require immediate parliamentary relief. He would not oppose the first Resolution; though it was not free from objection. He was convinced that the plan for collecting the arrears never could be acted upon, and that it would lead to the greatest mischief. It was said, if a man did not pay his arrears, he must go to gaol; but such a proceeding would kindle a flame throughout the country difficult or impossible to extinguish. It was said by the right hon. Member opposite, on a former occasion, that there was a precedent in 1532 for the present proceeding relative to tithes, when, in consequence of the payment having been resisted in some places, a different appropriation of them was determined on, and provision was made for recovery of the arrears then due. The cases however, were essentially different, and the precedent quoted would not apply. The volume on the Table contained the examination of seventeen witnesses, whose evidence had, in many particulars, been controverted by that subsequently given, and, more especially by that of Dr. Doyle and Mr. Montgomery. The question was a great and an important one, and the House should not be called on to come to a decision until it was in full possession of all the information which could be collected. A Jury was not required to give in a verdict with only half the case before them; nor should the House of Commons, on half a report, decide on a question in which great and important interests are involved. He believed that the gentleman would undertake to pay the parochial clergy the full amount of their claims, if it was clearly understood that, on the death of the present incumbents, a different appropriation should be made of the tithes. He did not wish to withhold assistance from the clergy, but he recommended that the House should vote a sum of money on account, for the purpose of relieving them, and then postpone the collection of the arrears until all measures respecting tithes was completed. It appeared by evidence, that the annual amount of tithes in Ireland was 700,000*l.* —a monstrous and intolerable sum. The annual amount of the Grand Jury presentments which had been so much calumniated, and out of which many poor establishments were maintained, the expense of which ought to be borne by the tithes, was only 850,000*l.* He really believed that, in many cases, the occasional losses of the farmer, the fluctuations of different seasons, and other circumstances, being taken into account, the clergyman got more than a tenth—more than he was entitled to. He denied that tithes were property which could not be meddled with. The Protestants in the north of Ireland, who had established their own moduses at their own pleasure, were the most urgent for the general payment of tithes; thus throwing the principal burthen on the poor Catholic tiller. It was a wonder that such a system of diversity, confusion, and irritation, as the tithe system of Ireland, had gone on so long. The right hon. Secretary talked of vindicating the law, but he was not vindicating the law: he was bringing in a new law. Again, he must urge the postponement of the scheme, in order that they might all lay their heads together for the purpose of endeavouring to devise some plan that should be substantially beneficial. He was decidedly of opinion that a portion of the tithes should go to the poor; and that the Protestant clergy who did the duty of the Church should receive a greater share of the emoluments of that Church. Had such considerations as these been attended to, Ireland would not have been convulsed from north to south on the subject.

Mr. *Hunt* said, that, at that late hour, as no doubt there was not a single Irish Member who was not anxious to give his opinion upon the subject, and as, therefore, it was hopeless to expect to finish the discussion that night, he would move as an amendment, that the Chairman report progress, and ask leave to sit again.

Mr. *Stanley* said, that the Chairman had no progress to report. This was the third day of the discussion, and yet the Committee had not passed one single Resolution. If they went on in this manner, day after day, making speeches on all the Resolutions, and not agreeing to one, time would be wasted, and the public business would be at a stand. He hoped that, after the long debate which had taken place, they would come to a decision on some of the Resolutions. To the first, second, and third, the objections seemed but slight; to the fourth and fifth they were more weighty. What he proposed was, first, to dispose of the Amendment of the hon. member for Downpatrick, and then to take the sense of the Committee on the first three Resolutions. He would afterwards have no objection to postpone, for a short time, the last two Resolutions,

Mr. *Mullins* wished the hon. member for Preston to withdraw his Motion.

Mr. *Wyse* said, he could not allow the first three Resolutions to pass without opposition.

Mr. *Lambert* wished the Committee to proceed.

Mr. *Hunt* said, that, if the Irish Members were content to put money into the pockets of the clergy, he was not, and, therefore, he would persist in his Motion.

Mr. *Sheil* suggested that, as the hon Member had manifested his desire to press his praiseworthy Resolution, and as a division would merely excite delay, he should withdraw his Amendment. He believed no further debate would take place.

Mr. *Hunt*, on that understanding, would withdraw his Amendment.

Amendment withdrawn.

The Committee divided on Mr. Ruthven's Amendment: Ayes 27; Noes 123—Majority 96.

List of the AYES.

Bainbridge, E. T.
*Bellew, Sir E.
*Brownlow, C.
*Chapman, M. L.
*Doyle, Sir J. M.
Duncombe, T. S.
*French, A.
Gillon, W. D.
*Grattan, H.
*Grattan, J.
Hunt, H.
*Ingestrie, Lord
*Jephson, C. D. O.
*Killeen, Lord
*Lambert, J.
*Lambert, H.
*Leader, N. P.
*Macnamara, W. N.
*O'Farrell, R. M.
*O'Callaghan, D.
*O'Connell, M.
*Power, R,
*Sheil, R. L.
Torrens, Colonel
*Walker, C. A.
*Wallace, T.
*Wyse, T.

TELLER.

*Ruthven, E. S.

*Those marked thus * are Members for Ireland.*

On the first Resolution being again put,

Mr. *Wyse* said, he would place before the House, as briefly as he could, the motives which induced him to offer opposition to some of the statements contained in the three first Resolutions. Several of the Protestant clergy were stated to be in the utmost distress, owing to the existing combination and resistance to tithe; and the State was called upon to come forward to their assistance. This allegation was grounded, both on the Report and Resolutions, on the evidence before the House. As he had already observed, at an earlier period of the night, he did not think these allegations were borne out by the evidence adduced before the Committee, and, therefore, unless further proof of the fact was advanced, he could not assent to such statement, and, of course, could not vote for the grant of money now proposed. He begged to be distinctly understood—in his mind, there were two points, essentially different, to be considered. First, whether, if such a case as that which had been stated did exist, the clergy would be entitled to public relief; and, secondly, whether such case did or did not exist. To the first of these propositions he could not refuse his assent, because if the teachers of a Christian institution, the guardians of public morality, the salaried officers of the public were guaranteed by that public in the enjoyment of their offices or salaries, it must be admitted, that the public were bound, by the strictest ties which could bind nations or individuals, to fulfil the engagement, and to afford protection and security for their enjoyment until some new contract with the same or other individuals was entered into by the State. The State acted thus in all other cases; and if it did not act so, it would virtually be signing its own death-warrant, and would openly teach disaffection and disorganization, by taking away from property and personal rights security—the real essence of all social institutions. The case had been confounded with that of landlords; but it was widely different. Those, at least, who considered clergymen, not as landlords, but as servants of the State, for the uses of the State, could not object to this conclusion. Landlords, indeed, might be reduced to much the same position, by an act of the State itself—an improvident, fraudulent, or precipitate law—like too many of the financial laws, as they operated in Ireland; and, in such cases, perhaps, in strictness of justness the, State ought to intervene. But these cases were rare; and, as the State did not interfere with their profits, or claim a right to do so, so neither should it be called upon to redress or retrieve, by pecuniary relief, any loss they might sustain. He would not, then, refuse to the clergy, as such, any fair relief, provided the justifying case for such relief was first made out. Upon these premises he based his argument. It appeared to him, that two conditions were necessary for this purpose; first, that the individual was in a state of distress; and secondly, that he had not brought that distress upon himself. If these conditions really existed, he for one, would not hesitate an instant, but give cheerfully, not as charity, but as strict right. Then came the main question. Were these conditions fulfilled? He contended they were not. He grounded this assertion, not on vain hearsay, or vainer imagination, but on those documents, upon which the right hon. Secretary relied for the opposite conclusion. The complaint was, that the Protestant clergy were in the greatest suffering and distress. What was the evidence to bear this out? The first instance given by the right hon. Secretary was that of Dr. Butler. He stood at the head of the suffering clergy. The words of the complaint in his own letter were:—"I have been banished from my home and duty, a starving exile." Banished? Where, did the House think?—to Cheltenham; "from comfort to absolute poverty." This statement must be compared, however, with the assertion of his parishioners, and of hon. Members in that House. These assertions, it was true, had not been proved, but neither had the assertions of the reverend Doctor. Both should be inquired into, and both weighed by other evidence. One thing was certain, that Dr. Butler was in possession of the tithe-right of thirteen parishes, extending thirty-two miles, producing, with all deductions, a rental of 1,400*l*., and he had been in possession of this income for thirty-six years; and he was stated to have purchased to the extent of 300 acres in the same county. Sir John Harvey had been quoted by the right hon. Secretary, in the next instance. The question, No. 113, was as follows; "A gentleman with whom I am well acquainted told me, he had just been sending a sheep and a few potatoes to a gentleman who was formerly in comparative affluence; and that he had neither a shilling, nor a pound of meat, nor bread in his house." So far the right hon. Secretary read, but why did he stop there? The next question and answer run thus:—"Can you give the name of the clergyman?"—"I do not know his name." And this was the evidence of the distress of the clergy given by Sir John Harvey! The hearsay distress of a gentleman of whom he literally knew nothing. Dr. Fitzgerald came next. He traced the sufferings of the starving clergy very perfectly to the right cause. Their consequences, however, did not appear to be quite so calamitous; not more than what many other "respectable" gentlemen had been obliged to submit to, without having had the good fortune to receive a single tear of compassion from this House, or any more substantial proof of sympathy from the Treasury. Great stress had been laid upon Dr. Fitzgerald's testimony; and it was worth while to attend to it. In reply to inquiries in this matter, he candidly answers to question 224, " that the Irish are rather an improvident race of people. They may live up to their incomes, and keep establishments of horses, carriages, and servants, and in the cases that I speak of, they have been obliged to lay them down." This, no doubt, was a great affliction, but hardly requiring legislative interference. The point was, were these gentlemen, as Dr. Butler stated, starving exiles from their duty and home? No such thing. Hear the evidence. " Have you known any case of distress in which clergymen have been in want of food?" Answer, " No; not to that extent." So that the clipping off of a lackey here and there, and some privations of a more serious nature, here and there, were all that Dr. Fitzgerald was ready to assert. Dr. Hamilton was " another sufferer." He has been in possession of parishes, extending nine miles by six—had raised his tithes from 350*l.* to 2,000*l*, and now lowered them to 1,700*l.*, and out of that very large income, there had been no saving, no economy, no surplus whatever; but, it might be said, he had spent this money amongst his parishioners. Perhaps so; and so far he had acted as well as most curates. This, however, had not been thought good ground for raising their salaries from the 70*l.* to 100*l.*—they were allowed to starve on. The only grievance was, that the privation should come occasionally; but was this privation, after all, so great? Was it so common or general as to justify this super-abundant compassion of his Majesty's Treasury? Here was a testimony which neither Protestant nor clergyman could reject. The right hon. Secretary had not seen it, or, in his anxiety for impartial discussion, it would, no doubt, have been pressed upon the consideration of the House. Mr. Langrishe, son of a landed proprietor of the very same parish, a Protestant gentleman, a Protestant clergyman, to these very same inquiries answers thus:—'Is it within your knowledge 'that there are several clergymen, to 'whom there are two or three years' ar'rears due?—Yes, I have heard that Dr. 'Butler, and various others, have two or 'three years' rent due; but that is not 'uncommon where there is no forcible re'sistance. There is very often an arrear 'of that kind; the clergyman takes a 'little, and goes on with the account. 'Are greater arrears due now than under 'ordinary circumstances?—No; I con'ceive they are much less.' That was a point blank contradiction to the general pressure of this calamity; the very point upon which the entire application rested. If the right hon. Secretary rested upon his report, he could not take it without the evidence; and if he quoted the evidence on one side, quite as strong could be quoted on the other. But did these Gentlemen come into Court with pure hands? Supposing this distress was " generally" to exist, had it not been of their own creation? These gentlemen, indeed, had been set up, not merely as claimants, but as martyrs—not merely as innocent, but as meritorious. Some of the gloss of these eulogies would, however, wear off on a little nearer examination. Dr. Butler was a professed self-panegyrist; but he must oppose him a second time to his parishioners. The pastor, in such matters, had surely not a better right to be heard than his flock. Dr. Hamilton was represented as consideration and meekness itself. A Catholic and a layman gave suspicious testimony against the moderation of a Protestant clergyman in that House. Dr. Doyle was not to be named; but the same Mr. Langrishe, whom he had already mentioned—a neighbour—and, therefore, with opportunities of judging—a Protestant clergyman, honourably zealous for the character of his religion and profession—a gentleman, in fine, in every sense, his testimony must assuredly carry the same weight as that of Dr. Hamilton himself, says, " that the composition, was a very fair rate of composition, indeed, on the part of the parish, but that he thought it rather high;" and, on being asked, " if it was not considered extravagant, both by the gentry and tenantry," he answered, " that he did think it a great deal too high." In answer to another question, he answered, that, " had Dr. Hamilton got his composition at 3*s.* 10*d.*, it would have been double the amount of what was usual." He added, that Dr. Hamilton refused to produce his book, without alleging any reason for so doing; that he had had a long quarrel with his parishioners about the building of a new church, and high wall to prevent the windows (as Dr. Hamilton stated) from being broken—no great proof this of the perfect understanding existing between him and his flock. Another question put was this, "Had he accepted the offer made him, do you think the parish would have remained without disturbance?"—"I think that no disturbance whatever would have taken place." That testimony showed that the clergy were neither meritorious nor innocent. There was another case, which could only be approached with reluctance and deep regret—the lamentable murder of Mr. Whitty. It had been, was, and ought to be, deplored and reprobated in the strongest language by all good men. He was conciliatory and kind in his individual capacity; but he fell a victim to the system, and to what the system had produced. His predecessor, Mr. Hare, had raised the tithe from 800*l.* to 2,000*l.* Mr. Whitty was called upon to reduce it. He was willing to do so, and did reduce it to 1,300*l.*; but there were grounds for further reducing it to 1,100*l.* The Archbishop refused to assent to this. New quarrels arose, and, in the interval, exactions, to a considerable extent, were made by his proctor. In some cases it was stated, that land valued formerly at 6*l.* was raised to 21*l.* The exasperation of the people burst out into open violence, and a most atrocious deed was perpetrated. The fault was not in the man, but in the system, and this system they were called upon to relieve. He thought he had stated enough to justify the course he intended to take. Hon. Gentlemen might say that cases of a very different nature could be produced. He was anxious to hear them, but they could not be produced from the evidence. If new evidence could be offered, it was the best reason that could be advanced for deferring the grant. If the clergy could show, by any additional testimony, that they were reduced to want, and were free from blame, he should be ready to adopt the Resolutions; but, until such evidence was furnished, he could not vote for the Resolution.

Mr. *James E. Gordon* felt himself called upon to defend the conduct of the clergy of the Established Church in Ireland: he denied entirely the charge made by the hon. member for Tipperary, that their conduct had led to the aggression against tithe; he particularly alluded to the rev. Dr. Hamilton, who had been examined, and had been included in the sweeping charge made by the hon. member for Tipperary, than whom a more pious, charitable, and exemplary man, did not exist.

First Resolution agreed to.

On the second Resolution being put by the Chairman,

Mr. *Hunt* said, that it was especially to this Resolution that he was opposed, for he did not think the sufferings of the clergy of Ireland were such as to induce him to consent to money being taken out of the pockets of the people of this country for their relief. The Church of Ireland was rich, and well able to afford relief from its own resources, as the emergency of the case might demand. He should not propose any amendment, but he would divide the House, even if he stood alone.

The Committee divided on the Resolution, when there appeared—Ayes 86; Noes 11—Majority 75.

List of the NOES.

Bainbridge, E. T.
Boldero, Captain
Duncombe, T. S.
Gillon, W. D.
Hunt, H.
O'Connell, M.
Ruthven, E. S.
Sibthorp, Colonel
Shiel, R. L.
Torrens, Colonel
Wyse, T.

Third Resolution agreed to.

The House resumed.

HOUSE OF COMMONS,

Wednesday, March 28, 1832.

MINUTES.] Bills committed. Sentence of Death Regulation; Marine Mutiny. Read a second time; Consolidated Fund (3,000,000*l.*)

Returns ordered. On the Motion of Mr. HUNT, of the Number of Persons in each County of England and Wales Sentenced by the Magistrates at Quarter Sessions to be Flogged; also, the Number of Persons Flogged Privately in each separate Gaol in England and Wales by the Order of the Visiting Magistrates; stating the Names and Ages of the Persons Flogged, and the Offences for which they Suffered for the last three years ending 31st December, 1831.

Petitions presented. By Colonel PERCEVAL, from the Protestants of Skrene, Sligo, against the Ministerial Scheme of Education for the People of Ireland; from the Physicians and Surgeons of Ballina, complaining of the Laws Restricting the Admission of Medical Men to County Hospitals; and from the Officers of the Sligo Gaol, to introduce a Clause into the Irish Jury Bill to make Provision for Officers of Prisons:—By Mr. SADLER, from Newark-upon-Trent, in favour of the Factories Bill:—By Lord MORPETH, from the Parish of Roscorn, Galway, for Equalizing Civil Rights in Galway:—By Mr. GISBORNE, from the Operatives employed at Cotton Mills at Newton Cheshire, against the Factories Regulation Bill, Ministerial Plan of Education (Ireland.)] Lord *Morpeth* presented a Petition from the inhabitants of Dewsbury, in favour of the new Ministerial system of Education for Ireland. The Meeting at which it was agreed to, was called by persons opposed to the scheme, but it was attended by persons who favoured that scheme, when a full discussion took place between the parties, and the result was, that the original resolutions were negatived, and the petition which he held in his hand was adopted. It stated in substance that the national education of children in Ireland was a question highly deserving the attention of Government, and, that it was highly desirable such a plan of education should be adopted as would not interfere with the religious opinions of any class of his Majesty's subjects, and, therefore, the petitioners hoped the House would adopt the Bill introduced by Ministers, for providing for the education of children in Ireland. Having stated the nature of the petition, he would venture to mention what his own impressions were upon a subject of which he fully recognized the extreme difficulty as well as the immense importance. Whether the new scheme, considering the materials upon which it had to work, and the opposition which had been raised against it, would be found ultimately to be practicable, was a point of which he had not the means of judging. This he would say, that he wished well to the experiment. He did so upon two accounts—first, because he was sure that it had been set on foot by his right hon. friend, the Secretary for Ireland, with a sincere desire to give to all classes of the Irish people as useful, as moral, as religious, nay as scriptural an education as the circumstances would allow; next, because he believed that if it was once fairly adopted, the practical effect would be to bestow on the Irish nation, taken collectively a better education, and a larger acquaintance with the Bible itself, than they had yet enjoyed. For what, in fact, as matters stood, was the alternative? Why, a scheme founded upon some such basis as the present, or else the withdrawal of all grants of public money from the purposes of education in Ireland: this latter course the House might, perhaps, sooner or later be compelled to adopt; but, till that necessity arrived, surely upon principles strictly Protestant, desirous to give the widest possible diffusion to gospel truth, the House would answer that great and paramount end most effectually, not by refusing to do any thing because they could not do every thing they might think right, but by doing the utmost where they could not do all. If they were not able to give the whole bread of life, the next best thing was to throw such crumbs as they were able upon the waters, in the humble hope that they would find them after many days. He moved that the petition be read.

Mr. *James E. Gordon* said, the noble Lord had truly stated, that there was a difference of opinion at the meeting from whence this petition emanated, and he felt himself called upon to state the circumstances which occasioned the original petition to be negatived. The meeting originated with some clergymen and other respectable persons in Dewsbury, who advertised a meeting for persons opposed to the Ministerial measure, who were to be admitted by tickets to the place of meeting, but the opposite party consisting of a Reforming mob, headed by a Mr. Todd, the leader of a body of persons calling themselves Freethinking Christians gained admittance, in the first instance, by forged tickets for their associates, and then forced the door to obtain admittance for the remainder. By such means the petition was procured; on one side stood the Free-thinker and Radical, and all that was morally infected and degraded in society; on the other, the respectable and virtuous part of the inhabitants. He believed the noble Lord was favourable to scriptural education, but in making that admission he was bound to declare that, in his opinion, the noble Lord either did not undertand the system itself, or the influence it was likely to have upon society. He was, therefore, sorry that the noble Lord had presented such a petition, and advocated doctrines supported by such a party.

Mr. *Strickland* could take upon himself to declare, that the persons who supported the petition were quite as respectable as those who opposed it, and with respect to Mr. Todd particularly he was not exceeded in respectability of character by any of the clergymen opposed to him on this occasion. If persons entertained more liberal views than the parties who wanted to get up a little petition of their own with closed doors, they were right to express their opinions, for he was satisfied the more the plan was known the more it would be approved of.

Mr. *Young* said, that the dissent which had been so universally expressed to the plan, by the Protestant clergy of all denominations in Ireland was a suspicious, and melancholy symptom. The most studious endeavours had been made to cast a slur upon the Kildare-street Society's plan, for the purpose of substituting this. He was ready to acknowledge that much difficulty existed in satisfying all parties, but the proposed system was calculated only for one, and nothing could justify the Government for allowing any portion of the authorised versions of the Scriptures to be dispensed with in education.

Mr. *James Johnston* was afraid the right hon. Gentleman, the Secretary for Ireland, was legislating upon a false notion of expediency, without regard to principles. He agreed fully with the hon. Member who had last addressed the House, that the plan was by no means the best that could be formed; in his opinion the Kildare-street society's scheme was much better. At least he was sure, that in the part of the country with which he was connected it was preferred.

Lord *Morpeth* said, he could take upon himself to assert, that the petition was signed by many of the most respectable inhabitants of Dewsbury. He had received no information of the alleged charge of the tickets being forged, by which some of the persons opposed to the measure gained admittance; and he denied altogether the allegation that the doors were forced—they were opened by a motion regularly carried for that purpose.

Mr. *Shaw* said, if those individuals wished to express their sentiments it was quite competent for them to call a meeting to do so, but their only object appeared to be to overbear those opposed to them by clamour and violence. It was the misfortune of the times, that argument and reason were borne down by numbers.

Mr. *Dawson* said, that this was the only petition hitherto presented in favour of the Ministerial plan of education, and, that petition was disgraceful to those who had got it up. It was the offspring of fraud and violence, for it evidently appeared that the meeting was intended to be select, and if persons obtruded themselves, and overpowered those who were assembled, under such circumstances they could have no claim to credit or respect. As to the plan uniting all parties in Ireland, that was a mere fallacy; all its effect would be to promote discord and hatred.

Mr. *Stanley* said, he had that day received a letter from the Secretary of the Board of Education in Dublin, which he regretted he had not brought down to the House with him. He, however, was informed, in that letter, that no less than sixty-one schools, having 14,000 pupils attending them, had placed themselves under the auspices of the new Board; and that applications for assistance had been made by upwards of 150 other schools, containing the same, or a larger number of scholars than he had enumerated, as being already under the new Board. From this it appeared that, within the short space of three months, the number of the schools under the system which had been adopted by his Majesty's Government exceeded the number which appeared on the books of the Kildare-street Society during the first four years of its establishment. It was also important to mention, that out of the sixty-one schools already established, sixty had been so on the joint application of Roman Catholics and Protestants; and twenty schools on the joint application of the Protestant and Roman Catholic clergy.

Petition to be printed.

STATE OF THE WEST INDIES.] Lord *Sandon*, before the House went into Committee, begged to put a question to the noble Lord (Lord Althorp). He hoped the noble Lord would be so good as to state what were the intentions of the Government with respect to the slave-population of the West Indies, and if it was the intention of the noble Lord to make any statement on that subject on the occasion of the hon. member for Weymouth bringing forward his Motion.

Sir John Hobhouse moved the Order of the Day for a Committee of Supply.

Lord *Althorp* thought the regular opportunity had now come for answering the question which had been put to him by the noble Lord, the member for Liverpool In answer, he begged to say, that he knew nothing at present of the object of the Motion of the hon. member for Weymouth and, therefore, was not ready to make any statement on the subject, until the tim arrived when that Motion was to b brought forward. It was impossible tha he could pledge himself that on such a occasion he should take an opportunity o opening the views of the Government t the House. Such might be a convenien opportunity, but at present he could no pledge himself on the subject.

Lord *Sandon* begged to apologize to th

noble Lord and the House, if he had in any way deviated from the regular course in putting the question he had done. All he wished was to conciliate; and he hoped the Motion of the hon. member for Weymouth would meet the views of his Majesty's Government.

CHOLERA MORBUS.] Mr. *Dawson* was anxious, before the House went into Committee, to call the attention of his Majesty's Government to a transaction which had given rise to considerable excitement in the neighbourhood in which it had occurred. It appeared that a woman and her child had died suddenly in the vicinity of Grosvenor-square, and that, on the inquest which had been held it was found that both had died from the disease called Cholera. This the husband, who is an Irishman, denied, and collected a vast number of his countrymen together, and surrounding the House where the woman and child lay dead, they prevented the parish authorities from entering it for the purpose of removing the bodies. A scene had thereby ensued such as never before had been seen in this metropolis, but bearing a strong resemblance to the combined meetings which from time to time appeared in Ireland for the purpose of resisting the laws of the country. The husband, who was outrageous in his attacks on the medical men who pronounced the cause of death to be Cholera, had, as he (Mr. Dawson) was informed, been that morning seized with the symptoms of the same disease, and at the present moment, he believed was lying dead. The combination still continued, and the removal of the three persons was still prevented by the mob. If such a system was allowed in the very heart of the metropolis, what dreadful calamities might be apprehended! He understood that application had been made by the parish authorities to the Secretary of State to know whether or not they should be justified in removing the bodies by force, but with the result of that application he was unacquainted. His object in thus bringing the subject forward was, to make the public acquainted with the melancholy fact, that the disease did prevail in the metropolis, and that those who had set themselves up against it, and denied its existence, had, in a few hours, themselves fallen victims to the malady. The case which he had brought before the House was one calling for the interference of the Government, for, unless strong measures were adopted to enforce the law, the extent to which the disease might prevail could not be foretold.

Mr. *Ridley Colborne* corroborated the statement of the right hon. Gentleman, and thought with him the Government were called on to adopt strong measures in support of the parish authorities.

Mr. *Lamb* was not aware of any communication having been made at the Secretary of State's office. None had taken place with him personally, nor had he heard of the subject until he had come down to the House. He agreed that the parish authorities must be supported, and that the arm of the law by the police must interfere; for it was the duty of the Government to lend every possible aid to prevent a recurrence of such a state of things as that he had just heard.

COMMITTEE OF SUPPLY—ARMY ESTIMATES.] The House resolved itself into a Committee of Supply.

Sir *John Hobhouse*, in proposing these Estimates, observed, that the Government felt some disappointment in not being able to propose any large reductions in the army; for the fact was, that, when he first entered the office which he now had the honour of holding, it was the hope of the Government that they would be able to propose a reduction in that part of their military expenditure which had reference to the land forces of the country. The Ministers, however, had a great public duty to discharge; and circumstances might justify them in retaining the military establishments at their present height; for any premature reduction, so far from being of any essential service to the country, would be of the greatest possible disadvantage, and be the ultimate means of increasing the military expenditure. The Government had hoped to reduce the number of the men; and even certain propositions were drawn up with that view, which, however, the late events in the West Indies and elsewhere had rendered absolutely impracticable. That being their view of the case, of course it was not to be expected that he had to propose the same extent of reduction which had taken place in some of the other departments of the country; but he had the satisfaction of being able to state to this Committee, that the Government was enabled to make some reductions, which he would state *seriatim* to the House, and which, at the proper time, he should be prepared more fully to explain. In the vote for the land forces, exclusive of India, there was an increase of 18,625*l.* in round numbers. On the staff, exclusive of India, there was a decrease of 7,247*l.* On the items for public departments there was a decrease of 882*l.*; on medicines, there was a decrease of 428*l.*; on garrisons, there was a decrease of 164*l.*; on the Royal Military College, there was a decrease of 2,889*l.*; on the Royal Military Asylum, there was a decrease of 2,486*l.*; on the Irish List, there was a very large decrease, namely, 90,195*l.* on account of the Volunteer Corps. On the next vote, for regiments serving in the East-India Company's territories, there was a decrease of 3,220*l.* Let these items be added together, and deduct from them 18,625*l.*, the amount of increase on the effective service, and the result would be a reduction of 86,236*l.* With respect to the non-effective branch, the account was equally satisfactory. In consequence of arrangements made before he came into office, the following reductions had been effected:—Army pay of general officers, 10,000*l.*; full pay for retired officers, 5,300*l.*; half-pay and military allowances, 21,300*l*; allowances to retired officers of Militia, &c. 839*l.*; widows' pensions, 355*l.*; Compassionate Fund, 5,578*l.*; and superannuation allowances, 6,000*l.* There was an increase in the charge for the in and out pensioners of Chelsea and Kilmainham. The general result, therefore, was a saving of 135,608*l.* in the way which he had endeavoured to explain. The charge for the effective army services for the year was 3,579,373*l.*; for the non-effective army services, 2,734,952*l.*; making a total of 6,314,325*l.* He would now point out the difference between the vote for the land force in 1831 and in 1832. The total force of all ranks, in 1831, was 109,048 men; in 1832, 109,198 men; being an increase of 150 men. In the force employed in the colonies there was an increase of 832 men; making a total increase of 982 men. The army was now within 1,336 men of its full establishment. It was, he knew, the opinion of many Gentlemen, that the mode of keeping up the army by recruiting, and the system on which reserve companies were conducted for the purpose of supplying the service abroad, might be beneficially altered. That was a large question, and he had applied himself to it with all the power which he was capable of exerting. It was, however, in his mind, a very doubtful point; and, considering the situation of the country, and the present circumstances of Europe, the existing system appeared to him to be the most applicable for preserving the forces in a state of efficiency, and, even in an economical view, it presented many advantages. He hoped, however, that the question would not be introduced incidentally on the present occasion. Whenever it was brought forward substantively, he should be ready to go into it fully. He should now state the difference of the charge for 1831 and 1832. The charge for the land forces in 1831 was 3,152,154*l.*; the estimate for 1832 was 3,170,779*l.*, being an increase on the land forces alone of 18,625*l.* But, in the miscellaneous department there was a decrease, as compared with 1831, of 32,532*l.* The increase had been chiefly caused by the return of a regiment from India, with a charge for a whole year, and of two other regiments with a charge for half a year.

Sir *Henry Parnell,* before he made any remarks on the statement they had just heard, hoped it would be understood that he made all due allowances for the situation and want of experience of his right hon. friend (Sir John Hobhouse), who had so lately taken office. Having premised so much, he must say, he had heard with no small disappointment, and some degree of astonishment, the announcement of the very small reduction proposed by the Government in the Estimates of the year. He had, when he quitted the office of the Secretary at War, left materials which would have enabled the right hon. Gentleman to propose a much larger reduction. Before he sat down, he would show of what these materials consisted, and he confessed he had hoped that a much larger use would have been made of them by his successors. From the station he had once held, as Chairman of the Committee of Finance, he felt that the public would expect from him, when he took office, some attempt to carry his principles into effect; and, he must add, from the information he had obtained in the course of his financial inquiries, he was not so wholly unacquainted with the nature of the duties to be performed in the office of the Secretary at War. In the course of his examination of the accounts of that office, he had made himself minutely acquainted with the details of the service, and he went there rather as one who obtained an opportunity to put his opinions to the test, than as one who had opinions to form. He had examined the accounts with attention when out of office, and it became his duty to frame a plan of expenditure according to his preconceived ideas of financial expediency. Convinced of the propriety of avoiding all delay in the production of the public Estimates, he commenced in July, and, on or before the 8th of October, he presented to his noble friend (Lord Althorp) a rough draft of his plan of expenditure, and, on the 9th of November, he placed in his hands the Estimate of the Army for the year. Acting on the principles he had always professed—acting as he had engaged to do—as he had pledged himself to do—and as he had claimed the privilege of doing when he took office—it did appear to him that he was justified in laying before his noble friend a plan of Estimates, which, if carried into effect, would save to the public 600,000*l.* a-year. And this saving, he begged to state, could be effected without diminishing the number of the land forces of the country below that fixed by the Duke of Wellington, or diminish, in the slightest degree, the efficiency of the service. This was not the time to enter into detailed explanations, but he might say that, as a general principle, he looked at the necessity of bringing back the establishments to the same amount as they were left by the Administration of the Duke of Wellington. He would not dwell at that moment on the reasons which rendered this change desirable, nor would he go into an examination of the items; but he might say, as one of the first points, that the whole establishment of the Waggon Train admitted, in his opinion, of very considerable reductions, even if it could not be done away with altogether. The recruiting plan was, also, very extravagant, and could, he thought, be re-modelled with advantage, and with a great saving to the public. Passing next to the Mess Allowances, he considered them very much beyond what they ought to be. The increase on the original allowance was given in consequence of the increased duties on wine, but these duties being diminished, the cause of the increased allowances was removed, and that increase ought to be deducted. He thought, too, that the dinners at St. James's Palace could be materially reduced in their cost. There were dinners of a similar description given to the Officers at Dublin Castle; and, he found, on comparing the expense, and even adding 1,000*l.* for a difference in the number, that a saving of 3,500*l.* might be effected. His right hon. friend had intimated that the riding establishments were all to be transferred to Maidstone, but he saw no reason why they might not be got rid of altogether. Another material reduction, he contemplated, was under the head of Public Departments. The Horse Guards, at the present moment, cost the country the very large sum of 28,000*l.* a-year; and, he believed, that, with a very little consideration, a great saving might be effected there, as well as a very great reformation in the mode of transacting the business of the office. The present system of Army Extraordinaries was another part of the service in which he contemplated a change. If they, as he proposed, got rid of that, they could also get rid of the expense of the office of the Comptroller of the Army Accounts, and all the cost of his department. Passing over the Medical Board, which he also proposed to dispense with, he came to the Military College, which he wished to confine altogether to purposes of instruction, and, by that means, save the expense which was at present incurred by the Government. With respect to Chelsea Hospital, much might be done. He proposed transferring to the War Office the whole machinery employed there for the payment of the out-pensioners. By that means a material saving would be effected, and the work be much better done. As to the management of the in-pensioners, since the termination of the war, the office had ceased to have any duties to perform; for, he understood from all quarters, that there was really a difficulty now in getting persons to reside in the Hospital as in-pensioners. Adverting to another branch of the service—the clothing of the army—he had good reason for thinking that the present plan might be advantageously changed. He would not then enter into the details on which he grounded his belief of the advantage of a change, but he believed he could, either in writing, or on any future occasion, prove it, to the satisfaction of the House and the country. For his own part, he was convinced of the propriety of his views on that subject. Another branch of the service—the non-effective—admitted of great reductions. Almost the whole of the expense of that department had grown up within a few years, and he had laid down a plan which, if pursued, would get rid of much of the burthen which had been imposed in that way on the public service since the conclusion of the war. As to the pay of the army, he would not then say much. The increase had been given about the year 1806, and he did not mean to say, without reason; but as one of the motives, for it was the depreciation of the currency at that time, he thought that, the cause having now ceased, some alteration might be effected. One great reason was, at all events, gone, for the continuance of the increase. In alluding to the public accounts, he had long been of opinion that the accounts of the Army Ordinaries and Army Extraordinaries, the Commissariat, and the Ordnance could be advantageously consolidated, and the whole of the machinery most beneficially simplified. He merely, however, threw out a suggestion of the propriety of such a change, in the hope that it might meet with the consideration of the Government. Having said thus much, he begged it to be understood, that he did not make these observations with a view of opposing the Estimates of the right hon. Baronet, or of casting any imputation on his zeal for the public service; but merely to show to the House and the public that, while he had been in office, he had not departed from the principles he formerly professed—principles which it had cost him some disappointment in not being able to carry into full effect. It was necessary for him, however, also to state, that it was his impression that he had not been supported in the way he ought to have been by his Majesty's Government. The noble Lord (Lord Althorp) would do him the justice to acknowledge that, at the time he accepted office, he declared he could not continue to hold it unless his views of reduction were supported, although he was, at the same time, quite willing that his plans and Estimates should undergo all reasonable examination and discussion. He thought it, however, not consistent with his duty or his principles to abstain from pressing that course of expenditure which his inquiries induced him to believe was both right and necessary. The right hon. Baronet concluded by apologising for having troubled the House at so much length on these details.

Lord *Althorp* admitted, in the outset, that the right hon. Baronet had stipulated for the execution of his views when he took office; but he (Lord Althorp), as the right hon. Baronet would recollect, observed, at the same time, that if the right hon. Baronet could convince him that those views were right, he should certainly have his support. It was also quite true that the right hon. Baronet had furnished him with a rough statement of his plans—a very rough one it was—at the time he mentioned. The House must, however, see that plans of that description were not to be carried into effect without the deepest consideration, from the important consequences involved in them. He hoped the House would admit, therefore, that there had not been any great dereliction of duty on his part in not proceeding rashly with the execution of extensive changes, and that, too, at a time when he was deprived of the services of his right hon. friend (Sir H. Parnell), who could best have explained the method of carrying them into practical effect. It was on this ground, too, that he thought his right hon. friend, the present Secretary at War, was entitled to some indulgence at the hands of the House. He (Lord Althorp) would admit, however, that he concurred in many of the suggestions of the right hon. Baronet, although he could not adopt them instantaneously, or without seeing them better marked out in their details. Many of them, he repeated, would require much time and deliberation. To take, for instance, the Commander-in-Chief's office, alluded to by the right hon. Baronet. Surely his right hon. friend was aware that the saving he contemplated there could not be effected without a complete and extensive change throughout the whole of the department. He admitted it could be done, but then it required much discussion and examination of minute details, before it could be effected with safety. Then, as to the question of clothing, undoubtedly it was important to change the system, if the calculations of the right hon. Baronet were correct; but it would be found, on inquiry, that there were persons who, on that subject, made calculations which showed a directly opposite result, and that the change contemplated by the right hon. Baronet would increase rather than diminish the expense. This would show the propriety of investigating before they came to a decision. The right hon. Baronet said, too, that the Waggon Train might be safely reduced. He agreed with the right hon. Baronet to some extent on that point, but those conversant with the army were unanimously of opinion that the skeleton of the Waggon Train was absolutely necessary for the preservation of the efficacy of that branch of the service. He doubted very much that his right hon. friend would ever have been able to reduce the Estimates to the amount of 600,000*l.* as he had stated, consistently with the due maintenance of the efficiency o the military force of the country. He doubted much, too, that his right hon. friend would have been able to have effected, as he stated, a reduction of 220,000*l.* in the present year. With respect to the Military College, the right hon. Baronet recommended that it should be confined to instruction. He had the satisfaction to say, that it was determined to make the College from henceforward pay its own expenses. They could not turn out those who were at present residents under the old system; but it was determined that no others should be admitted. A large portion of the expenditure was, undoubtedly, to be placed to the account of the standing army; but it must be considered that the keeping up of that army was one of those points which came under the discretion of the Ministers of the Crown, and for which they were immediately responsible. Considering the general circumstances of this country, and of the world at the time, though he (Lord Althorp) and his hon. colleagues had entertained an anxious wish up to the last period, to propose such a reduction in the land forces, they did not think they would be justified in proposing it at the present moment. The amount of the army sanctioned by the House depended, in a great degree, on the confidence which the House was inclined to place in the responsible Ministers of the Crown, who must take into consideration whether the amount of forces kept in existence were absolutely necessary or not. Now, looking at all the circumstances of the country at the present moment, he did not think that his Majesty's Government would be justified in proposing in the present year a large reduction of the military force of the country.

Colonel *Davies* did not mean to object to the vote proposed on this occasion, and he doubted that the right hon. Baronet would have been able to effect reductions to the amount of 600,000*l.*, as he had stated; but, at the same time, he could not avoid expressing his surprise that his noble friend opposite, who was a member of the finance Committee, and had voted there for every one of these reductions, should be so long a time in making up his mind to agree with the suggestions of his right hon. friend.

Lord *Althorp* said, he had stated, that no distinct details were laid before him in a manner to enable him to see their practical working. He had heard arguments and reasons from his right hon. friend, but he could not act on them in his absence.

Colonel *Davies* said, although the noble Lord might not feel himself competent to decide upon all the details of his right hon. friend, yet there were some so clear that he (Colonel Davies) thought that the mere propounding of them would have been sufficient to insure his assent. There was the Waggon Train—all military officers agreed that it was a useless and unnecessary expense. Then there was the recruiting department, surely that might be reduced. Further, the Governors, who were in the receipt of large salaries, ought not to be allowed to retain their half-pay. All that he had heard on this subject convinced him of the absolute necessity of having this subject brought under the consideration of a Select Committee. His right hon. friend had said, that he would effect a reduction of 600,000*l.*; but let them give him (Colonel Davies) a Select Committee, and he would show that a reduction of a million additional might be made with regard to expenses connected with the army. If he should be fortunate enough to have a seat in a Reformed Parliament, the first thing that he would do would be, to move the appointment of such a Committee as that which he now suggested. He must say that, after the promises of the noble Lord and his right hon. friends opposite, he was much disappointed in finding that they had not redeemed their pledges as to reduction in those Estimates. The Estimates for the present year were 6,314,425*l.* 9*s.* 4*d.* In the last year, they were 6,381,849*l.*, so that the saving in the present year was only, in point of fact, 67,424*l.* If they looked to the year 1830, they would find that the Estimates amounted to 6,123,112*l.*, which was less than those for the present year by 191,314*l.* He must confess, therefore, that he was disappointed, that the pledges given by Ministers when out of office had not been redeemed. His right hon. friend had stated, that the troops in the colonies were less by 4,000 than in 1830, so that they had 72,000 for the home service alone. With regard to the large military force employed in Ireland, he hoped that his Majesty's Government would lose no time in taking steps to tranquillize that country, so as to put an end to the necessity of keeping up so large a force there. He would say that, if Ministers wished to maintain a character for consistency, and if they had not altogether forgotten in office, those pledges which they had made out of office, they would effect a large reduction in the military establishments of the country.

Sir *Henry Parnell* said, that his noble friend, the Chancellor of the Exchequer, had said that he (Sir Henry Parnell) had laid before him nothing more than a very rough statement. He was sure that his noble friend would recollect, that the papers submitted to him were official documents prepared at the War Office, showing the whole of the sums expended last year, and containing an estimate of what he (Sir Henry Parnell) meant to propose for the present. He had only one explanatory observation to make. His noble friend seemed to think that the only mode in which he meant to reduce the expense of the Military College was, by reducing the number of students, and by making those who entered hereafter pay for their own education. His noble friend was mistaken. Another mode in which he wished to reduce the expenses of the College consisted in the abolition of the military staff.

Lord *Althorp* said, that his right hon. friend had certainly laid before him a large mass of papers, which, to have understood, would have required a very accurate and detailed investigation. He did not deny that such papers had been laid before him; but what he wished to state was, that they were not in such state of forwardness as estimates usually were. With respect to the Military College, he begged to state that it was not his intention to have made an impression upon the House that the mode by which the right hon. Gentleman proposed to reduce the expenses of that establishment consisted in the removal of the orphans of military officers from it.

Captain *Boldero* could not help remarking, that during the fifteen years that he had sat in Parliament he had never heard so unfair an attack as that which had that night been made by the right hon. Gentleman, the member for Queen's County—an attack alike unfair, he must say, to the right hon. Gentlemen opposite, to the army, and to the public. If the right hon. Gentleman was really prepared to make so great a reduction in the estimates as he had stated, was he not bound to the country to show in what it would consist? But he had done nothing of the kind. He said, that, had he continued in office, he would have saved 600,000*l*. If that were so, then, although out of office, he was bound in justice to the country to show how it could be done. Yet he had only alluded to a few items in the Estimates, in which, he said, unnecessary expenses were incurred. He approved of the statement of the right hon. Baronet opposite; it was of a fair and candid character.

Sir *Henry Hardinge* thought, that the frank manner in which the right hon. Baronet, the member for Westminster had laid the Estimates before the House was far more satisfactory than the manner in which the right hon. Gentleman (Sir Henry Parnell) had submitted his objections to the few items in which he said he could have effected reductions, and which he lamented he had not the opportunity of so doing. For his part, speaking as a military man, and having himself, for some years filled the office of Secretary at War, he congratulated the army and the country at having the right hon. Gentleman no longer at the head of the Military Department—because, if the right hon. Gentleman had continued in office, and effected the reductions which he proposed, it was very much to be feared that the efficiency of the army would have been most materially impaired. It had been stated that in the clothing of the army a different system was to be adopted, by which it was expected that a considerable reduction of expense would be effected. Upon the strength of no inconsiderable experience, he cautioned the Government to be careful how they adopted changes in that, perhaps, the most difficult and most intricate of all matters connected with the supply of the army. Again, it was said, that in the course of a few years, the country was to be at no expense in the maintenance of the Military College; in other words, that the education of the young gentlemen who went there would no longer be paid for by the country. Against such an arrangement he (Sir Henry Hardinge) should always protest, because he believed it to be alike opposed to good feeling and good policy. He should be prepared to meet the right hon. Baronet whenever he brought forward his plans and methods substantively before the House. At present he would merely observe, that he had heard with regret the noble Chancellor of the Exchequer declare, with apparent satisfaction, that after three years the public would be put to no expense for the education of the orphan sons of officers (twenty) at the Military College. This reduction would justly occasion great dissatisfaction in the army, and in a national point of view was highly injudicious. In France 50,000*l*. a-year was expended by the government in the maintenance of military schools for the education of its young officers. In the United States of America between 300 and 400 young men were educated at West Point at the public expense. The Military College of this country cost little more than 2,500*l.* a-year; and when, for the sake of reducing that sum, it was proposed to deny to the orphans of the old officers of the army the advantage of the education which they had hitherto received at the public expense, he thought that it was at once proposed to do an act of injustice and of impolicy. Then it was said, that the Waggon Corps should be either reduced or abolished. At present it consisted of only 100 men. In France it consisted of 4,500. No one who had the slightest knowledge of military affairs could doubt of the immense importance of such a corps in facilitating the movements of an army. He, for one, therefore, was strongly opposed to any further reduction of so useful a body. But he would enter into no further detail; he was sure that the majority of the House would concur in the proposition of the right hon. Baronet opposite, by whose exertions he doubted not but that the efficiency of the army would be maintained, at the same time that a proper regard to economy would be observed. Where abuses existed, the right hon. Baronet might rest assured that the officers of the army, so far from creating or encouraging them, would be as anxious and as ready as himself to wipe them off; and he would add that, while the right hon. Baronet remained at the head of the military department of the country, he could not do better than to consult experienced officers, who, upon many points of detail, would point out where economy could be effected without reducing the efficiency of the army.

Sir *Henry Parnell* begged the right hon. and gallant Officer to bear in mind, that he conceived there was an interest, to which the merely army interest was secondary, namely, the public interest; but the gallant Officer, like most other military men, seemed to think there was no interest to be considered but that of the army. The Secretary at War should virtually be the trustee of the public, and as such, a check upon the tendency of military men to advance their own profession at the expense of the public.

Mr. *Hume* observed, that in the Finance Committee there was but one opinion with respect to the right hon. Baronet the late Secretary at War, and that was, that he was desirous only for such reduction as would not impair the public service. He had been anxious to cut off unnecessary establishments, not to destroy the efficiency of the army, but to make the whole army more efficient. Who could doubt that great reductions might be made in the army Estimates? There were seven Quarter Masters General—how could so many be usefully employed? Again it was surely unnecessary to keep up so large an establishment as the Military College, solely for the education of twenty orphans. It was not consistent with the public interest to educate so many young men with the hope of having commissions, when we had no commissions to give them. He hoped that the time was not far distant when he should see one establishment for the army, the artillery, and the East-India Company's officers. It would create emulation, and would be attended with less expense. He thought a large proportion of the staff belonging to the Military College might be removed; the salary of some of the officers diminished. Why was such a sum as 1,000*l*, a-year, besides other advantages to be allowed to one man? A gallant officer had asked why we should not keep up public military education, as the Americans did, at West Point? But it must be recollected, that in America there were not the same facilities for obtaining a military education in private as in this country. The system was also to educate young men from the various States, in order that the American army might be impartially officered. But why should we, an insulated country, not exposed to sudden attack, keep up at an enormous expense the establishment which we had maintained during the last seventeen years? The principle of our military establishments had hitherto been, that we should be always prepared for immediate war. If it had not been for this principle, we should not have men always ready to undertake wildgoose expeditions, like that to Lisbon. As to the hon. Baronet's reference to the opinion of clerks of the War Office, the members of the civil department of the army must, in many matters of detail, be better qualified to form an opinion than military men. He regretted very much that the right hon. Baronet, the late Secretary at War, had not had an opportunity of carrying his plans into effect. We had now 8,000 men in our military establishment more than when the Duke of Wellington left office. It appeared to him that every government, it did not matter whether Whig or Tory, thought that a large military force was necessary to overawe the people. He much regretted to see that his Majesty's present Ministers thought it their duty to keep up such a force. He was sure they were under an unnecessary alarm. They would do much better to trust to the generosity and good sense of the people, and to remove their causes of complaint, instead of keeping up this large military force, which excited irritation and annoyance, and required a large military force to repress it. Thus the love for a military force kept working in a circle, and perpetually engendered the evil it was meant to guard against. If the army had been reduced as it ought to have been at the conclusion of the war, the saving would now be 1,200,000*l.* a-year. The amount of pensions, too, was enormous. After seventeen years' peace the dead weight amounted to 2,800,000*l.*, although Lord Castlereagh, in 1818, said, that it would die off at the rate of seven per cent. per annum. He regretted to see that the interests of the public were not attended to as the interests of individuals were. Why were they to have 12,000 men more in Ireland this year than the last? Let them act towards Ireland with justice, and such a force would be unnecessary. But would 50,000 men keep Ireland quiet if the tithe system were not altered? The sooner in both countries conciliatory measures were adopted, and a large army dispensed with, the better for both. It was hardly to be expected that Ireland could be placed in the same situation of perfect tranquillity as Scotland. But if they looked back they would find that formerly it was as difficult a matter to manage Scotland as it now was to manage Ireland. What had rendered Scotland one of the quietest countries in the civilized world with so few complaints to make? simply because the rights of the people were respected; justice was impartially administered: and there was no interference in matters of religion. These were the circumstances which had placed Scotland in so enviable a position. What was the result? Why last year the number of troops in all Scotland did not exceed 1,200. These were chiefly in garrison, in Edinburgh, Stirling, &c. With the exception of Glasgow, which, being a large manufacturing place, occasionally required troops, they were wholly needless in Scotland. Let Government try a similar experiment in Ireland, and they might soon bring down the military establishment in that country. And why, too, did they maintain such a large force in the colonies? There were more troops in the Canadas and in Nova Scotia, than were to be found in the whole of the United States? If our garrisons there had not a single soldier in them, in the present state of Europe what apprehension could there be of any foreign attack? Why, therefore, were we to continue so large an expenditure? He allowed that his Majesty's Ministers had been employed, and were still employed, in a very great work; and he should be very unwilling to throw any difficulties in their way by objecting to the number of troops which they proposed. Regretting, however, the erroneous view which, in his opinion, they took of the amount of military force which it was expedient to maintain, he must for the present satisfy himself with the observations which he had made, without moving for any reductions; trusting that the moment his Majesty's Ministers were relieved from the important undertaking in which they were at present engaged, they would turn their attention to the best means of reducing our military establishment.

Mr. *Baring* having sat as a Member of the Committee to which allusion had been made, in which the question of the expense of the standing army was very fully investigated, would trouble the Committee with a very few observations, although he did not profess to have much information on military subjects. The general amount of the military establishment of the country was one question: whether that establishment, such as it was, was the most economical that could be maintained was another. As to the amount of our military establishment, the hon. member for Middlesex trusted, we should be able to get Ireland into such a state as that there would be no necessity for maintaining a large military force in that country—that it might be as useless there as it was in Scotland. He (Mr. Baring), feared that the bad consequences arising from bad government could not be immediately removed, and, therefore, the hon. Member would excuse him for saying, that at present they must deal with the question in a wider point of view; they must take things as they stood, and while they remained in their present state, they must be prepared to meet the probable consequences of that state of affairs, by whomsoever it might have been produced. The question, whether there had, or had not, been good government in Ireland had really nothing to do with the subject matter of this night's debate, which simply was, what establishments the army required for the present year? Looking into this subject with great jealousy, being as little disposed to keep up these military establishments as the hon. member for Middlesex, or any other hon. Gentleman could be, and entertaining quite as little predilection as he did for a military Government, or military influence of any description, the impression made upon his mind was, on looking to the state of the country, that no very material reduction in the army could be effected at the present moment. There was not only the present state of Ireland to be taken into consideration, but it should not be forgotten that immense masses of the manufacturing population in different parts of the country were occasionally thrown out of employment, and at such times agitated and irritated by great distress, which induced them to break out into acts of violence, for which there was sometimes no remedy but the employment of military force, although those acts of violence had nothing whatever to do with feelings of disloyalty or rebellion, but were the almost natural consequences of the state of irritation produced by that distress to which large manufacturing establishments were necessarily occasionally liable. So long as the country remained in its present condition, or so long as it possessed large manufacturing establishments, which were occasionally involved in distress and difficulty—so long, setting aside the establishments which were necessary abroad, would there exist a necessity for maintaining a considerable force at home. It was very easy for any hon. Gentleman to say, "Why, here you have 89,000 men" (or whatever the number might be); "you can do with a less number." Nothing was more easy than saying this; but it was necessary to point out where the reductions could be made, without impairing the necessary efficiency of the public service. The hon. Member said, that a reduction to the extent of half a million of money could be effected at once. Why, nothing was more easy than to make that sort of off-hand declaration; but to render it of any weight, it was necessary to show where, and how these reductions could be made. His hon. friend said, that he would cut off the force which was stationed in our American colonies: it must be remembered that they ran over an extensive line of 1,500 or 2,000 miles; they possessed considerable fortifications and naval arsenals; and would it be said, under these circumstances, that we could have a less military force than 5,000 men there? He would call to the recollection of his hon. friend an occurrence which took place in the course of last year, when, notwithstanding the friendly intercourse which existed between this country and the neighbouring state of North America, it became necessary for the Government to send out a military force, for the purpose of breaking up an encroachment on the province of New Brunswick. Besides, what a temptation we should hold out to restless and daring spirits, if we left our possessions without any defences whatever; it was neither more nor less than bidding for enterprise and aggression of every description. We certainly possessed some colonies, which were not worth preserving. He could understand the necessity of our establishments at Gibraltar, and at Malta, which were, of course, indispensable to our commerce, as connected with the Mediterranean; but he must confess that he never could understand the policy or expediency of maintaining any establishments in the Ionian Islands. It would always be easy to get rid of them; there would always be somebody who wished to be made governor over something. The right hon. Gentleman had a friend in Greece—why not give them to him? He dared say they would be really a boon to that country. Now, there were other questions which had been introduced into this discussion with respect to the necessity of a Waggon train, and the maintenance of the Military College, which were certainly more strictly questions for military men; but with respect to the latter, when he saw that France and America, with a very small army—two most intelligent countries, and the latter most anxious for economy—maintained military colleges at a very great expense, it afforded a strong presumptive argument that it was their opinion that a military education was indispensable. On a comparison of the expenditure of those countries and this, under that head, this argument was very materially strengthened. In this country the army held a certain station in society, and young men of good family were induced to enter the service whose parents had been able to give them a good education. In such cases, certainly, a military establishment was not required; but if there were no such establishment, it would be matter of just complaint on the part of the democracy and the middle classes, that the army was confined exclusively, like the public offices of State, to the aristocratic part of the community. He was very sorry to hear so trifling an item as this, when compared with the whole amount of the estimate, objected to. On the subject of the Waggon Train, he certainly could give no opinion. There was, however, one remark connected with this part of the subject which he would wish to make. The French had a waggon train of 4,500 men—ours did not exceed 100 men, and when this was compared with the amount of the standing army of the two countries, he could not but think—considering that Marshal Soult, who had the greatest military reputation of any man living except one, was at the head of the French forces—that this must be a very necessary and useful appendage to the army. He begged pardon of the Committee for troubling it so long, but as he did not concur in the opinion which had been expressed, that the maintenance of this force, was an act of extravagance on the part of his Majesty's Ministers, he thought it incumbent on him to say so.

Mr. *Hunt* was very unfortunate in being absent from his place when these estimates were brought forward by the right hon. Secretary at War. He had been equally unfortunate in the absence of the right hon. Baronet on the occasion of his bringing two questions before the House—the flogging of soldiers, and the Manchester business; and having been unfortunate in the absence of the right hon. Gentleman upon those occasions, he regretted that he had himself been absent at the commencement of the present discussion. Having so often heard the right hon. Baronet express his opinion on this subject, both in that House and out of doors, he certainly was much surprised at his proposing this increase where the country might have been led to expect reductions. He had felt it his duty last year to move for the reduction of 10,000 men, and he very much regretted to find that some reduction had not by this time been effected. Several statements had been made with respect to the cause of this increase: some hon. Gentlemen said, it was the state of Ireland which had caused it, but he thought the hon. Member for Thetford, (Mr. Baring) had given a better reason for it than any he had heard. That Gentleman said, "You have large manufacturing districts in a state of great distress, and you must, therefore, have a large military force to keep the people down." He (Mr. Hunt) had received a letter the other day from Huddersfield, stating the dreadful distress which prevailed there; and it was an extraordinary fact that the Political Union—he might speak of it now, without giving offence to the Treasury Bench—at their very last meeting, made a calculation of the expense of clothing the army, and the result was, that the clothing for one soldier cost as much money as would clothe eleven of these poor unfortunate manufacturers. Now this was a very extraordinary fact certainly, but, at the same time, very true. The late Secretary at War stated that he would be enabled to make a reduction of 600,000*l*. in these expenses. Now, what a very extraordinary anomaly it was, that the right hon. Baronet, the present Secretary at War, whom he had so often heard denounce the principle of standing armies altogether, should now propose to maintain a large army for the purpose of keeping down the distressed manufacturers. Why, was it not very horrid that these poor people should work from sixteen to eighteen hours a day, without being able to get the common necessaries of life, and then go home and lie down upon straw, ten or twelve together, huddled close to one another like pigs, for the purpose of promoting warmth? When people were in such a dreadful state of destitution as this, it was not surprising that it should be necessary to keep up a large standing army. The hon. member for Thetford very fairly said, that severe pressure and great distress would induce acts of violence which had no connexion whatever with disloyalty or rebellion. It certainly was a very extraordinary fact, that here was a liberal Government, with a liberal Secretary at War—he meant nothing personally offensive to him—no doubt he found it necessary to act differently from what he originally intended—maintaining a standing army of 89,000 men, being 8,000 more than what the Duke of Wellington at the head of the Tory Administration thought it necessary to maintain. The gallant Officer on that side of the House had charged another gallant Officer with having made a very bad canvassing speech. Now, he must say, that the right hon. Baronet, the Secretary at War, had made a very bad canvassing speech for Westminster, as he would find one of these days. He certainly, if these estimates came forward again in this shape, should be prepared to move that the army be reduced 8,000 men, at least—in order that it might be no more expensive than it was when the Anti-reform Administration was in office. He was very sorry that he did not hear the speech of the right hon. Secretary at War; but he would say, notwithstanding, that the liberal Government had a right to show the people why it was that they proposed to make this addition to the army. They could not be afraid of the agitation of the Reform Bill, because they had said that there they had got the whole country with them. He was decidedly opposed to this increase in the amount of the military force to be employed in this country.

Sir *John Hobhouse* felt that, although there could be no discredit to the right hon. member for Queen's county in the course he had adopted, still it was necessary for him to explain the circumstances in which he found himself upon entering into the situation of Secretary at War. One might imagine, from the speech of the right hon. Baronet, that when he went out of office, he left behind him a regular plan of reduction, which his successor had nothing to do but to act upon. It was undoubtedly true that the right hon. Baronet did leave in the War Office a great mass of papers; but they consisted of loose essays, tables, and general calculations, and were intended to form, as he conceived, an extreme statement of what, under a different system, might be carried into effect. There was not, however, any specific proposition for the estimates of the present year. He had taken all the strongest points of the hon. Gentleman's calculations into consideration, and effected a reduction in every one of them, with the exception of that relating to the Waggon Train, which had been the subject of some conversation in the course of that evening, and in which a material difference of opinion existed between the right hon. Baronet and those best acquainted with the subject, whose advice he had followed. With respect to the other matters to which the right hon. Baronet had adverted, they were of so much importance, and required so much attentive consideration, that he could hardly expect that a Secretary, who had not been more than two months in office could be prepared with any specific measure. In answer to the hon. member for Middlesex, who had complained of the amount of the dead weight and the military establishment of the country, he would state, that neither the present Government nor the preceding Administration were to be blamed for the existence of the dead weight. It was now impossible to get rid of it; but no opportunity ought to be lost of gradually reducing it. The amount of the military establishment was a question of general politics. It depended on the state of our colonies, of Europe, and of this country; but this he would say, that the Government would not be slow to propose reductions whenever the condition of the country would permit them.

Sir *Henry Parnell* said, that he had not left only loose and general calculations at the War Office, but a specific paper, headed "An abstract or statement showing the sums voted under the principal heads of the Estimates of 1831, and the reduction proposed to be made in the Estimates to be voted in 1832." This paper was the result of eight months' continual application, and exhibited what might be done in the way of reducing the expenditure of the army.

Mr. *Hume* said, it was the opinion of the Committee last year that Europeans should be withdrawn from the African corps, and he wished to know whether that desire had been acted upon. He was also very desirous of knowing whether any arrangement had been made with respect to promotion. He thought new officers should not be appointed to regiments until the list of the half-pay had been gone through.

Sir *John Hobhouse* said, the African corps was now entirely composed of black men. With respect to the other question put to him by the hon. member for Middlesex, as to promotion, he begged to say, that the Secretary at War had but little to do with arranging in that matter.

Mr. *Hume* complained that the Secretary at War had not something to do with the arrangement of the promotion of officers, for he was a responsible person, upon whom the House could at all times call; but the Commander-in-Chief was not in such a condition. In former times the Secretary at War had greater power in these affairs—he was the proper financial Minister of the army, and he (Mr. Hume) regretted that the Commander-in-Chief had now that power transferred to him. This evil had sprung up in the course of the last war, and he hoped the day was not very distant when it would be got rid of.

Lord *Althorp* denied that the Commander-in-Chief was not under the cognizance of that House, the hon. member for Middlesex having asserted the contrary; but he concurred in what the hon. Gentleman had stated as to the Secretary at War being the proper officer of finance in his department. With regard to another point alluded to by the hon. Member—viz. the promotion of officers—that was necessarily placed under the control of the Commander-in-Chief, as he of course had the discipline of the army under his management.

Mr. *Hume* thought that some such rule respecting promotion in the army ought to be adopted as that which prevailed in the navy—of making but one officer for several vacancies, and filling up the others from the half-pay list.

Colonel *Evans* thought that proper attention had not been paid to the necessities of the country, or else, within a period of sixteen years, there might have been a much greater reduction than there had been in the number of half-pay officers. It was not, however, in the matter of the promotion alone, as it regarded the employment of officers from the half-pay list, that the greatest cause of complaint existed. The higher ranks of the army were filled up in a most improper manner, so that thirty or forty regiments were now commanded by men who had seen little, if any, service. In his opinion the command of regiments ought not to be open to purchase by Majors who happened to have plenty of money in their pockets. That system was, however, carried on. In a recent instance, there had been a young officer appointed to the command of a cavalry regiment when there were many older and more experienced and very able officers, who were anxiously applying, but in vain, at the Horse Guards to obtain their commands.

Mr. *C. W. Wynn* agreed with the hon. and gallant Member that this was a question of extreme difficulty and delicacy; and one with respect to which it is scarcely possible that the House of Commons, or any large assembly, could establish a precise rule. If the army was to be maintained, it was desirable that it should be efficient; and unless some opportunity be afforded of infusing new blood into it, if he might be allowed the phrase, by the promotion of those engaged in active service, it was quite impossible that the spirit of the service could be maintained. At the conclusion of the long war a great reduction took place; and the consequence had been, that no person could at present be admitted to the rank of admiral who was not nearly sixty years of age. In the event of a war, great inconvenience would result from this circumstance, because it was impossible that men of such an advanced age could be employed in active service of a desperate character. Whenever the necessity for employing them should arise, some means must be found for bringing younger men into these active duties. As the dead weight had been alluded to, he would trouble the Committee with a few observations on that subject. He regretted the consequences of the measure introduced by Mr. Wyndham; but he felt it his duty, as he was a Member of the House at the period when that measure was so introduced, to state the difficulties which that eminent individual had to contend with. In consequence of the sudden augmentation of the army at that time, and in consequence also of the effect produced on the recruiting market by the plans adopted by preceding Governments, the bounty upon enlistment had been raised to 60*l.* or 80*l.* per man. The immediate consequence of Mr. Wyndham's measure for increasing the pay, after fourteen years' service, was to reduce the bounty to 20*l.* per man, and even lower than that. The country derived great immediate benefit from this circumstance. It was, however, impossible even at that time, that any person connected with the army should fail to perceive the inconveniences which would result from the very short period that was fixed as that which was to intervene before the increased remuneration should come into effect. The regulations which were adopted by his right hon. friend, a former Secretary at War, had placed this charge on a more beneficial footing for the country; but it still remained a heavy burthen. With respect to the estimates now before the House, and particularly the present vote, he had not the slightest objection to offer to them. It appeared to him impossible to effect any serious diminution of the charge for the army, except by a reduction of the number of men; but when he looked at the events which were passing around him, he felt that this was not the time at which his Majesty's Ministers could safely recommend such a reduction. When he recollected the very next question which stood for discussion, so soon as this Committee should be disposed of, he felt that it would be improper to reduce the military force at this moment, and, indeed, he should be disposed to augment it, if Ministers recommended that. His Majesty's subjects were entitled to demand protection in return for allegiance. When it was known that in a part of this empire, juries were afraid to return their verdicts; that witnesses were deterred from giving their testimony; and that the officers of the law could not serve process without danger to their lives, it was the duty (a painful one, he acknowledged) of his Majesty's Government, but one from which he trusted they would not flinch, to send to that quarter such a military force as should ensure the due execution of the law. As to reduction, little had been made; and little, under the circumstances, was to be expected. He could hardly call the apparent diminution under the head of the volunteer force a reduction, because a vote was taken in advance for that service last year. A reduction had, he perceived been made, in the riding establishment; he should be glad to see the riding establishment done away with altogether. From what he observed, before he entered office and since, he was satisfied that the service would derive greater advantage, whilst, at the same time, there would be a saving of money, if the riding establishment were abolished, and an inspector appointed to superintend the regiments.

Captain *Boldero* said, that the dead weight of the army might be economised. There were 90,371 men on the pension list. Now, of these, 20,000 effective soldiers might be taken to be employed in garrison duty in Gibraltar and Malta; they were willing to go, and these veteran troops might be had at a much smaller expense than the troops of the line now employed on these services. To prove this, he would refer to the present expense of the army. In the Life Guards, a man and horse cost the Government 69*l.* 4*s.* per annum; the cost of each man in the cavalry was 46*l.* 13*s.*; the cost of each man in the Foot Guards was 34*l.* per annum; and in the Line 30*l.* 1*s.* Now, as each of the men he had proposed to take from the dead weight could be had at 20*l.* per man the saving on each would amount to 10*l.*—a sum that, in 20,000 men, rose to a considerable amount. In adopting that plan, too, many of the incidental expenses now required for preparing young soldiers for garrison duty might be saved.

Mr. *C. W. Wynn* said, the hon. and gallant Member had not taken into consideration in his calculation, that, if veterans were called into active employment, they would be entitled to an increase of pay in proportion to their length of service; this would make a very material difference in the amount.

Mr. *Robert Gordon* said, that the saving which his right hon. friend had been able to effect amounted to only 14,000*l.* If this were the only saving which could be made out of an expenditure of 4,388,000*l.*, he must conclude that he and other hon. Members had been wasting their time during the last fifteen years in endeavouring to force the Tory Administration to make reductions.

Lord *George Bentinck* said, that taking into consideration the events which had occurred at Bristol, Worcester, and elsewhere, and the present state of Jamaica, there was no reason to blame Ministers for having made a reduction to the extent of only 14,000*l.* It would not have been a matter of surprise if they had presented an increased estimate.

Colonel *Evans* deemed the plan suggested dy the hon. and gallant Member (Captain Boldero) incapable of being carried into effect; nor did he think, were it adopted, that the saving to the country would be any thing like what that hon. and gallant Officer believed.

Mr. *Hunt* said, that the country was now in a tranquil state, and the army might be reduced. Instead of the number of men being what it was proposed to vote —viz. 89,478 men, exclusive of the forces employed in the East Indies—he begged to move an Amendment to reduce that number by 8,000, which was the number of men employed when the Tory Administration, under the Duke of Wellington, quitted office.

Amendment negatived, and the original motion agreed to.

The sum of 3,170,779*l.* 19*s.* 2*d.* was voted to his Majesty for defraying the charges of the men employed in Great Britain and the colonies, except the territories of the East-India Company, from the 1st of April, 1832, to the 31st of March, 1833, inclusive.

The House resumed.

TITHES (IRELAND) — MINISTERIAL RESOLUTIONS.] On the Motion of Mr. Stanley, the House resolved itself into a Committee on the subject of tithes (Ireland). The fourth Resolution read as follows:—'That for the more effectual vindication 'of the authority of the law, and as 'a security for the repayment of the 'sums so to be advanced, his Majesty be 'empowered to levy under the authority 'of an Act passed for this purpose, the 'amount of arrears for the tithes or Tithe 'Composition of the whole or any part of 'the year 1831, without prejudice to the 'claims of the clergy, for any arrear which 'may be due for a longer period, reserving, 'in the first instance, the amount of such 'advances and paying over the remaining 'balance to legal claimants.'

Mr. *Lambert* wished as he had not hitherto intruded himself on the attention of the House on this interesting subject, that he might meet with some degree of indulgence while he made a few observations prior to submitting an Amendment with which he meant to conclude. It was a matter of deep regret to him, that his right hon. friend did not yield to the request of so large a portion of the Irish Members, and allow some time to elapse before he again brought forward these Resolutions. He also regretted that, in order to produce a favourable impression on the House, on behalf of the clergy of the Established Church of Ireland, the right hon. Secretary drew an unfavourable character of the landlords of that country. As an Irish landlord, he would not submit to a charge of that nature, but must give that part of the right hon. Secretary's statement the most unqualified contradiction. He must also say, as far as he was acquainted with the character of the ministers of the Established Church of Ireland, that although he believed them to be, for the most part, men of moral character, he knew very many who extorted from the poor peasantry a sum greatly exceeding what the law allowed. He recollected a case that occurred in his own neighbourhood, where an attempt was made to practise the greatest exaction upon the peasantry. There was an attempt made by a clergyman in the Lower Court, to make his parishioners pay him tithes, although they had paid them to an agent authorized by him. He recovered in that Court; but the peasantry, after great trouble and delay, succeeded in bringing the case before a higher Court, when the former decision was instantly reversed. This was by no means a solitary case; and he felt bound to say, that from what he knew of the character of the clergymen of his neighbourhood, he could not join in that praise for moderation which had been so liberally bestowed upon them; there were too many instances of the contrary, to warrant an assumption of that sort. He certainly could not for one moment, consent that such animadversions should be thrown upon the landlords, as the right hon. Secretary had indulged in in consequence of the feeling that might exist towards making out a case to relieve the clergy. He was aware that it was extremely popular at present to cast censures on the landlords, and more especially on the Irish landlords. He knew, however, that this class had had to submit to diminution in their incomes, which they had no reason to expect, and which they could not have calculated on when they had received their estates. The incomes of the clergy, however, had not been decreasing; on the contrary, the amount of tithes received the year before last, was greater than in any former year. Therefore, if any class was entitled to complain, it was the landlords. He agreed with his hon. friend the member for Tipperary (Mr. Wyse), in thinking that a case of distress had not been made out on behalf of the clergy; but at the same time, he did not think it would be desirable to oppose the advance of money proposed in the former Resolutions. With respect, however, to the Resolution before the House, he could not assent to it; for he was of opinion, that any attempt to carry it into effect would be mischievous. It called upon the House to give authority to his Majesty's Ministers to collect the arrears of tithes—to give additional powers to carry into effect a system which it was subsequently admitted, was so bad that it must be abolished. The right hon. Gentleman said, that the law on this subject was so severe and bad at present, that it could not be enforced; and yet he asked the House to give the Government additional powers to enable them to attempt to do so. He really hoped that his Majesty's Ministers would again look to the evidence before the House, and consider whether it was expedient to pursue the course they had adopted. The evidence on the Table did not prove the existence of very great distress on the part of the clergy, nor did it exhibit any grounds of alarm for the state of the country, on the contrary it went to prove, that the public peace would not be disturbed if the present mischievous system was removed. The absurdity of the present course was this:—One of the Resolutions declared, that the system was so bad, that it must be altered; and at the same time they were called upon to give power to the Government to enforce it with greater severity for a time. It was stated in the evidence of Mr. Green—and he attached great credit to the evidence given by that gentleman, because he knew him to be a man of high character, and one who possessed great local knowledge;—Mr. Green said, that every force in the power of the Magistrate had been employed to enforce the payment of tithes; and he added, that he did not think that any force would be sufficient for that purpose, either under the Composition Act or by valuation, if the people wished to give opposition. The people of Ireland objected to this tax as unjust, and they evaded the payment without a breach of the peace; but if force was resorted to, it was impossible to state what would be the consequence. He regretted, that the right hon. member for Tamworth was not in his place, as he was desirous of making some observations on what fell from him the other night on this subject. He regretted that that right hon. Member expressed the sentiments he did, as he entertained a high degree of respect for him. For he could not forget that, even in the worst of times, he made an excellent Secretary for Ireland, and acted fairly and uprightly; and, also, that he sacrificed the opinions of his youth, and abandoned the violent party, with which he was connected, to a sense of public justice. That right hon. Gentleman blamed the hon. member for Kildare, for saying that the Catholic population felt aggrieved at having to pay tithes to the clergymen of a religion which they did not believe to be the true one, and for coinciding in that opinion himself. With respect to this, he (Mr. Lambert) did not hesitate to declare, that he thought the people were wronged and insulted by being compelled to pay tithes; and, for his own part, he never paid them without feeling that there was no just right to compel him to do so. He might be told that the law gave this right; but he contended, although he might yield obedience to this law, still, that it wronged him. He could only designate the infliction of this payment by the term "the right of the conqueror." He was willing to obey the law as long as it was so; but he knew that such was the feeling in Ireland on the subject, that it never could be enforced again without leading to a great deal of bloodshed. He had been reminded also that the Catholic Members, before they took their seats in that House, had a solemn oath administered to them, that they would not make use of any power they might possess to the prejudice of the Established Church. He took that oath with a full determination to preserve his faith, but he never contemplated that it could apply in a case of this nature. He never could have imagined, because he wished to get rid of the present mode of collecting the revenues of the Church of Ireland, that he was, therefore, endeavouring to subvert that Church. He did not intend to do anything injurious to the Protestant religion, but he could not imagine there was anything in the oath he had taken, to prevent him from overturning the tithe system in Ireland. Indeed, he did not believe, that any attempts would be successful in subverting the Protestant religion. He believed there was no other Church whose doctrines were so similar to those of the church he belonged to from the fullest conviction that they were founded on truth; and that, when so many wise and good men professed the Protestant faith, it would be an act of madness to destroy that Church. Dr. Doyle said, that of all the churches separated from the Church of Rome, he felt the greatest reverence for the Church of England: and in this opinion he entirely concurred. He could not think that the shedding of human blood in torrents was the way to increase reverence and attachment for the Church. He would not charge Christian clergymen with countenancing deeds of this kind, but it should be recollected, that these transactions were carried on in their name, and that the people of Ireland might impute to them a portion of these crimes. He totally denied that the abolition of tithes, and a different appropriation of the enormous riches of the Irish church, would tend to injure, or to subvert the Protestant religion. On the contrary, he was persuaded that it would have the effect of greatly exalting and purifying that religion, by the removal of this foul source of so much strife, this immediate cause of so many horrible murders, and by putting an end for ever to the unhallowed struggle on the part of the Christian ministers, for the possession of that wealth which the Gospel so repeatedly and emphatically condemns. If his Majesty's Ministers thought fit to advance a sum of money for the relief of the Irish Protestant clergy, let it not be accompanied by measures that would transfer the odium of enforcing an oppressive impost from the tithe-proctor to the Government. Some better mode of providing for the clergy has been announced as in preparation, and he entreated his Majesty's advisers most respectfully, most earnestly, that the repayment of the sum to be advanced might be conducted on that better principle, and levied by those less objectionable means, by which they were led to expect that the future provision for the Irish clergy would be raised. He would move, as an amendment to the Resolution, " that the sum to be advanced by Government for the relief of the clergy of the Established Church in Ireland, shall be raised, for the purpose of repayment, by such means as the Legislature may adopt for the future support of the clergy in that part of the United Kingdom."

Mr. *Dawson* said, that the subject then before the Committee was of the last importance to the clergy, and to all the Protestants of Ireland, who, in fact, had now to fight *pro aris et focis*. As a sincere admirer and supporter of the Protestant establishment, he felt called upon to state his opinions on this subject, which not merely affected the welfare of Ireland, but of the whole British empire. He had great pleasure in giving his support to the Resolutions, and he felt called upon to say, that the right hon. Secretary for Ireland had shown himself to be a friend to the Established Church. To the principles laid down in the Resolutions he did not object, but there was one word of which he did not approve—he meant that of the extinction of tithes. In the present state of Ireland, the use of that word was extremely injudicious. With respect to the first Resolution, he cordially gave his consent to it. The proposed sum was but a small relief to the clergy, whom he well knew to be moderate, forbearing, and most exemplary, in their dealings with the people; while it would not prevent them pressing their claims till the tythe system was altered by the Legislature. They had been placed in a most unpleasant situation, and deprived of their rights by a most illegal and unconstitutional conspiracy. He was glad, therefore, to learn, that the strong arm of the law was to be exerted against those who resisted the payment of tithes, and that money was to be ultimately forced from those who really owed it, and who deserved to be punished for their turbulence. It was a curious fact, that, in all the evidence before the Committee, there was not a single case made out of a Protestant clergyman being the aggressor. They had used no menaces nor intimidations, and though goaded by injustice, outrage, and robbery, they exhibited a meekness, forbearance, and every virtue that could adorn a Christian clergy. They had not even had recourse to any strong means to recover their income, till they had been driven by the most extreme distress. He had, therefore, heard the observations of the hon. Member who last addressed the House with extreme regret. He had called the clergy extortioners, and when such language was used by gentlemen in his high station, it could have no other than the worst effect on the people of Ireland. He was sure that the clergy would submit to the most rigorous investigation, but they properly objected to being condemned and calumniated unheard. He regretted that hon. Gentlemen could think it right to go out of their way to arraign the character of clergymen such as Dr. Butler and Dr. Hamilton —men of as high integrity, and of as pure Christian feeling, as any men in existence. It had been asserted that Dr. Hamilton called upon the Government to employ troops to force the people to pay him his tithes; but there was nothing whatever in the evidence to warrant, in the slightest degree, this charge. And he could not help observing, that it would have been in better taste if the charges had come from Gentlemen of a different religious persuasion from that of the hon. Member's. The hon. member for Wexford said, that he admired the tenets of the Protestant religion, but that he objected to the Catholics being called upon to pay tithes, and that he never paid them himself without feeling that he was injured and insulted by being called upon to do so. He felt surprised that a Roman Catholic Gentleman, of the talents of the hon. Member, should make an attack of this nature on the revenues of the Church of Ireland. He (Mr. Dawson) trusted to be able to show the fallacy, as well as the injustice, of the reasoning of the hon. Member. At present there were four payments to be made by the Irish tenantry. The first was rent—the second, tithes—the third, the Grand Jury assessments—and, lastly, the Church-rate and cess. He found, by referring to the evidence on the Table, that one of the most intelligent witnesses that was examined said, that, in his part of the country, the rent, on the average, was one-third part of the produce—while, in England, it varied from a fifth to an eighth—that is, that, if the produce were worth 9*l.* an acre, one-third, or 3*l.*, would be taken as rent; that the charge for tithes would be about 5*s.* 10*d.* an acre; the Grand Jury assessment 3*s.* 4*d.* per acre, and the Church-rate and cess 1*s.* 1½*d.* per acre. Thus, it appeared, that the charge for tithes on land, which paid the landlord 3*l.* an acre for rent, was not equal to one-tenth of that amount, or one thirtieth of the produce. Again, Mr. Palmer gave a table, or general statement, of the amount paid as tithes in seventeen parishes in the county of Tipperary and diocese of Cashel which had compounded. This statement showed the proportion of rent and tithes paid in these parishes. Now, it appeared, on comparing the amount of rent with tithes in these seventeen parishes, that the latter, on the average, was one-twelfth of the former. If, then, the rent was equivalent to one-third of the produce of the land, the clergyman got only one-thirty-sixth part, instead of one-tenth, of the produce to which he was legally entitled. He was sure that no Gentleman who considered the real state of the case, would think that the clergymen, in these instances, were extortioners. The same witness also gave a similar statement of twelve parishes in the county and diocese of Dublin, where it appeared, that, on comparing the tithes with the rental, the former was only one-twenty-fourth of the latter. Thus, if the rental was equivalent to one-third of the produce in the diocese of Dublin, the clergyman only obtained one-seventy-second part of the produce of the land, although he was entitled to one-tenth. He thought these facts were sufficient to show, that the clergy did not deserve the imputations which had been so liberally cast upon them. Another witness, Dr. Erck, the Secretary to the Commissioners of Ecclesiastical Inquiry, gave nearly similar evidence. That Gentleman had had more experience in valuing tithes than any man in Ireland. He took eighty-one parishes in the nine northern counties of Ireland, and he calculated the average rental, and the amount of tithes paid by the parishioners, and what did the House think was the actual amount of tithes per acre in these eighty-one parishes? It appeared, that while the actual charge for tithes was only 11½*d.* per acre, on the average, the rent paid to the landlord was between 35*s.* and 40*s.* He would venture to say, that this general statement would be confirmed on referring to the returns of those parishes in which the Tithe Composition Act had been brought into operation. Was this to be called a system of cruel exactions—or could it justify the people of Ireland, excited by demagogues, to rise as one man against the payment to the clergy of their just rights? Hon. Gentlemen say, that the Irish peasantry would rather pay 3*s.* or 4*s.* an acre more rent to their landlords, than 1*s.* an acre as tithes to the Protestant clergyman. But he assured the House, the people of Ireland were not such fools—they were not so simple as to give 3*s.* when 1*s.* would be sufficient; and, indeed, they were not possessed of sufficient money to enable them to indulge in these whims. It had been said, that the clergyman often charged 3*s.* for tithes, when he was only intitled to charge 1*s.*; but the answer to that charge was the actual receipt of tithes in several districts of Ireland, as compared with the rental. The House should give the subject the highest consideration before it was determined that the name of tithes should be got rid of; and consider whether, in so doing, they did not give up the rights of the United Church of England and Ireland, and risk the stability of these establishments. He trusted that the House would never consent to give up the rights of the Church, in consequence of the clamour of the Irish Catholic peasantry. He did not wish to say anything offensive to the Catholic Gentlemen in the House; but he questioned, whether, as Catholics, they were justified in acting to the injury of the Protestant establishment of the country. He admitted, that the question had been put fairly and manfully by the hon. member for Kildare, and he had declared his entire concurrence in the doctrine of the hon. member for Middlesex, that the Church of Ireland should be deprived of a large portion of her revenues. The hon. Gentleman said, he felt that he was bound to comply with the law, but that every time he did so, he felt that he was injured. He did not quarrel with the hon. Gentleman for making that declaration, for, if he (Mr. Dawson) was of his religious persuasion, probably he might think the same; but the very declaration was sufficient to put the friends of the Church Establishment on their guard. The declaration which had been made amounted to this; that, as long as the Protestant religion was the established religion of the country, hon. Gentlemen thought there was no harm in endeavouring to evade the law. The hon. Member said, that he yielded obeof which is now laid on the various counties by the Grand Jury, and serves to add to the odium, in great part undeserved, under which they labour. The charity which the Church has ceased to furnish, adds to the load of local taxation, and directs popular odium against the landed proprietors; but now, Sir, to return to the statement of the right hon. Secretary, and to the charge brought against the landlords, that they exact too great rents, I must be permitted to say, that, admiring so much as I do the extraordinary abilities of the right hon. Gentleman, I regretted extremely that he brought forward a charge which is contradicted by one of the first axioms of political economy. Why, surely, he ought to be aware that the relative amount of produce received by the landlord proves nothing as to the actual amount of his rent. The relative amount of produce received by the landlord must altogether depend upon the quantity of capital and labour, laid out by the tenant upon the land. If that amount be considerable, as in England, of course, the tenant's portion is relatively large. If it be comparatively trifling, as is the case in Ireland, of course, the landlord's share must be large. Look to the instance of an acre of tobacco—there, the rent of the land, suppose 2*l.*, the return for the capital expended perhaps 100*l.*; here, then, the tithe, compared to the rent, would be as 10*l.* to 2*l.*, and yet neither the landlord nor the clergyman would receive more or less of their rights than they do with respect to any other crop. Apply this principle, and the different proportion of the whole produce received in England and in Ireland is at once accounted for, and the Irish landlord is freed from any improper charge of exaction, and a too sedulous regard to his own interest and advantage. Now, Sir, there is another part of the speech of the right hon. member for Harwich which I wish to allude to. He has stated, that all those Members who vote against these Resolutions do so because they are determined not to vindicate the authority of the laws; but this is not the case. We vote against these Resolutions not because we do not wish to vindicate the authority of the law, but because we doubt whether this is the way of doing so—because we doubt that it is possible and politic to vindicate a law which is opposed by, and is obnoxious to, a whole people, by enacting another more obnoxious, and more certain of being opposed. It is as men anxious to preserve the authority of the law that we are unwilling to bring it into a prolonged contest with an irritated and determined multitude. It is as men anxious for the security of property—for surely the hon. member for Armagh, and many others who vote against this Resolution, must be allowed to have some stake in the country. It is as men anxious for the security of property that we are unwilling to trail the law through the mud of a popular contest. We would vindicate the law, if necessary, by coercion, and I do not at all say that coercion may not be necessary; but we would accompany our vindication of the law with a real and effective remedy for the grievance which has caused its infraction. This, then, is the difference between us and the right hon. Secretary. We both admit that the insecurity of property, and the convulsed state of Ireland, arise from laws being made, not for the people, but against the people. We would insure the present obedience to existing laws by a distinct promise of the immediate repeal of those which are unjust—and the right hon. Secretary by making the remedy distant, and the coercion immediate. We all recollect the case of the Catholic Association—we recollect that a Bill to put it down, without remedying the grievance which gave it its being, failed completely—we recollect that, on the mere announcement, at a later period, of a remedy for the grievance, it dissolved before you had time to pass an Act to put it down—we recollect this, and we ask, will you never profit by experience? We all know the sentence, "Individuals may profit by experience—nations never." What is the case here—have the individuals profited, and do not the members for Tamworth and Harwich support, with all their influence, this Government in their copy of their Acts? Was not the present Chancellor of Ireland, who, perhaps, for all I know to the contrary, may be, at this instant, employed in correcting and altering and improving the Bill which my learned friend opposite will soon introduce to the House—was not the present Chancellor of Ireland the very individual who attempted to put down the Association, and vindicate the outraged law, without taking away the cause which had occasioned its breach? So much for the improved experience of the individuals—but for that of the nation, the maxim is at fault. The nation has profited by experience—England is not with you in this attempt at coercion—my only hope is in public feeling—you may succeed for a time, but you must eventually be defeated—you may enact these measures—they can continue in force but for a short season—England is with us in the struggle, and nothing can prevent our final success.

Mr. *Cutlar Fergusson* said, that it having been decided that the clergy of Ireland were in a distressed condition—owing to no fault of theirs, but to a system of violence, or, at least, of open resistance to the law, carried on in that country, and that they were entitled to some relief, which relief was to be afforded by allotting them a sum of money out of the Consolidated Fund, he was rather surprised that the hon. member for Wexford should have stated, when moving his amendment, that the clergy of Ireland had no claim upon this country, and were not entitled to that which, it had been agreed, should be conferred upon them. He remembered the manly and candid speech of the hon. member for Armagh, on a former occasion, in which he did the clergy of Ireland merely justice in declaring—what, indeed, all who had read the Report of the Committee must know—that they had, as a body, acted with great moderation. The hon. member who spoke last had followed up the contest between the landlords of Ireland and the clergy; but no person in that House had attacked the landlords. When they were so ready to stand forward to defend themselves when no charge was made, it seemed to imply that such imputations as they had denounced could be laid against them. That, however, was not his object; he rose chiefly to say, that it was his intention to give his support to these Resolutions; and he did so with great sincerity, as the real friend of Ireland. Whenever his vote had been called for upon any measure affecting the civil and religious liberties of that country, he had invariably voted in favour of their extension, and should, at all times, continue so to do. He belonged to a country which had been fortunate enough to preserve and enjoy its property without the infliction of the practical evil—tithes. He had no landed property except in that country; so that whatsoever course might finally be pursued with regard to the tithes of Ireland or of England—whether they were abolished or upheld—he had no personal interest in the question; nor was he in any way concerned in its decision beyond the desire which he naturally felt for the promotion of every thing connected with the welfare of the people at large of the United Kingdom. The House having resolved that the clergy of Ireland were entitled to assistance and relief, the question was, not in what mode that assistance should be given, because that had been already determined, but how the money thus advanced was to be repaid to the public. If he understood the hon. Member's Amendment right, he proposed that the recovery of this money should not be by process of law; but there was no other means by which the arrears could be recovered. There might be persons who could not be sued with effect by the present law; but if the clergy had a legal right, which they could not exercise, it was the bounden duty of Government to adopt measures by which they might obtain justice. He did not agree with the hon. member for Louth, in the distinction which he had made, by asking whether they were about by additional severities to enforce a bad law. The question was, not whether they would enforce a bad law, but whether they would enforce the payment of a just debt. The question was, not whether they were to continue the present system of tithes, but whether they were to do justice to the clergy of Ireland by enforcing the payment of a debt already incurred. If the landlords would not consent to pay any thing as a commutation for tithes, was it consistent with common justice that the hon. Members, as landlords, should support the Motion for the extinction of tithes? Was it not obvious to every man who could reason upon the subject, that, unless some charge were imposed in lieu of tithes, the landlords would alone derive a benefit from the abolition? For it was clear, that the tenant now paid the landlord a reduced rent on account of the clergyman's demand for tithes; but if the land were made free of that charge, the landlord would increase his rent, and thus become the sole gainer by this measure. So strongly did he feel this, that he very much doubted, if he was satisfied that the landlords would not consent to have a charge on land substituted for tithe, whether he should give his sanction to any of these Resolutions, for he might then suspect they would afford grounds for an apprehension entertained by the right hon. Baronet, the member for Tamworth, that they would produce a determination on the part of the people openly to resist all contribution whatever to the Church, and that the landlords would, in such a case, encourage the peasantry by making a common cause with them. This, he hoped, was not the motive that led to the Amendment, and otherwise he saw no grounds for anticipating any such determination, which, he hoped, the people of Ireland were too just to adopt. This question might be decided without any violence, or angry collision of feeling, upon fair, just, and honest principles; as set forth in the fifth Resolution, namely, that there shall be an entire extinction of tithes. When the terms of that Resolution were taken in the sense in which his Majesty's Ministers understood them, implying, not a total abolition of tithes without an equivalent, but the abolition for ever of the system of tithes now existing, there was nothing in them unjust to the clergy, while they promised a great boon to the people. If men had purposely set about devising a measure with the view of exciting discord between the pastor and his flock, they could not have more effectually attained their object than by establishing the system which imposed on the clergyman the necessity of obtaining remuneration by a personal collection of tithes. He was much surprised at the turn which the hon. Members for Ireland had given to this question; and, at their assertion, that any person who might vote for these Resolutions would preclude himself from interfering with any proposal for an improved distribution of the property of the clergy. He would at once say, that he thought the present unequal distribution of the property of the Church highly objectionable. That there should be 1,000 curates receiving less than 60*l.* a-year each, while immense incomes were enjoyed by others of the clergy, who perform little or no duty, was an evil that ought to be remedied even in this country; and he would agree to any proposition that was made to relieve that meritorious class of men from the degraded condition to which, by the present system, they were necessarily reduced. Nor did he see any valid objection to the Church property being more equitably distributed for that purpose. He thought that, proper and adequate provision for the working clergy should be made, some of whom were actually paid worse than the menial servants of any hon. Member of this House. Under the peculiar circumstances of Ireland, he did not consider himself precluded, by assenting to these Resolutions, from taking into consideration any proposition that might be brought forward respecting the distribution of Church property. But he should not have troubled the House on this subject, except for the purpose of suggesting to the right hon. Secretary for Ireland the necessity of speedily bringing under consideration the remedial measure. Indeed, he should not give his consent to these Resolutions, unless he supposed that his Majesty's Ministers were far advanced with their plan to relieve the people of Ireland from the present monstrous system. It seemed far better to let the discussion take place in the House rather than in a Committee; for, he was sure that, with the assistance of the hon. members for Ireland, that House would be better able to consider this question than any Committee. The difficulty of devising a remedial plan, was, in a great degree, lessened by the existence of a model, which might, with propriety, be imitated—he meant the system of tithes which prevailed in Scotland. It was a mistake to suppose that Scotland was not subject to tithes. It was; but the whole of the tithes were valued, and were held to be a fund subject to the maintenance of the clergy. There was no such thing as a claim on the part of the poor of Scotland to any portion of this fund. It was very true that, at the Reformation, the reforming clergy who were just as rapacious as any clergy that had gone before them, insisted upon having the whole of the tithes, subject, they said, to the maintenance of the poor; but the Legislators of that day had sufficient experience to know what would have been the portion allotted to the poor, had this modest request been complied with. The claim was resisted, and the tithes seized by the State. Grants of tithes were then made by the Crown to different individuals, and these titular and lay impropriators existed at the present day in Scotland as well as in England. But tithes were the constant subject of dispute, and the cause of broils in Scotland, before and after the Reformation up to the time of Charles 1st. At length, an amicable arrangement was made of the differences occasioned by the then existing system of tithes; to which arrangement he attributed much of the subsequent prosperity of Scotland. By that he, as a landed proprietor, was now protected against the claims of any party to tithes for the improvements he might make on his property; those claims being confined to the value set upon such property at the time the arrangement was made. But, as he had already observed, Scotland was in a state of ferment, with constant broils both before and after the Reformation, until the time of Charles 1st. The Minister in Scotland of that Monarch advised a course which was agreed to by the clergy, the titulars, and lay impropriators, and also the lessees of all proprietors of tithes, namely, that the whole matter should be referred to the consideration and arbitrament of the King himself. There were four separate submissions—that of the titulars, that of the lay impropriators, that of the Bishops, and that of the clergy. According to the articles of the decree made by Charles 1st, on these references being made to him, every person who was desirous to ascertain to what charge his land was subject, might go before the Commissioners, and, upon a valuation being made, he was assured that, in all time to come, whatever improvements might be made on the land, the person who did not assist in making those improvements should not gain by them; but that they should be for the benefit of the landlord and tenant of the soil. The result of this wise arrangement was, that the clergy were from that moment freed from coming in collision with their parishioners, and that the persons who paid tithes had no future grounds of complaint that their labour and capital were taxed in the shape of tithe, when applied to the improvement of their land. He saw no reason why this system should not be established in Ireland. If the right hon. Secretary for Ireland, and the Solicitor General for that country, and the Lord Advocate for Scotland, were to sit down in the library for two days, they might completely adapt this plan to the circumstances of Ireland. But, whatever arrangements might be made, the liability of the lessees must be taken into consideration; for they could come to no decision, unless it was well ascertained what proportion ought, in fairness, to be paid by the lessee as well as by the landlord. He did hope that, by some such arrangement, this question would be brought to a happy termination, and he, for one, would give his consent even to that Resolution which conferred a coercive power on Government, with the view of accelerating the final settlement of the question. Government were taking a great responsibility upon themselves, and he sincerely hoped that the measures they adopted would be effectual. He was led to think they would, from the fact, that the tenants in Ireland had not universally, in any one parish, refused to pay tithes, but that many had paid them even at the risk of the loss of life. There were some most ludicrous instances of this kind mentioned in the evidence. Mr. Robinson said, that one of his tithe-payers was very desirous of paying his tithe, and he sent him a cow, but desired that it should be kept a secret. "Another writes to me," says Mr. Robinson, "with a note for *5l.*, inclosed, 'Don't tell that I have made this payment, but give out to the country that I am the greatest rascal in the world, otherwise I shall become a victim.'" He felt justified in denouncing a system so appalling as this. When persons could not give evidence in a Court of Justice, for fear of personal injury, and when even Juries were deterred from returning verdicts according to their consciences, the community was in a most dangerous state. The law, certainly, ought to be enforced, but in an ordinary manner, and by the regular course of law. He would never give his consent to the plan, if he thought it was to lead to the enforcement by the military power of a civil debt. He did not believe that all the military in the world could inflict upon Ireland a continuation of the present system of collecting tithes. Being of that opinion, he supported these Resolutions, because he looked upon them as equitable means of putting an end to a system which could by no possibility be continued.

Mr. *Mullins*: Though it is extremely painful to me to be under the necessity of opposing the views of his Majesty's Ministers on the present or on any other occasion, feeling, as I do, that those Ministers deserve, in an eminent degree, the confidence, the approbation, and support of all really interested in the welfare of the British empire, still I feel myself called upon to declare my cordial concurrence in the view that has been taken of the two last Resolutions by the hon. member for Wicklow, and many other hon. Members, during the progress of this debate. Conscious as I am that their opinions are founded on a perfectly unprejudiced view of the case, as well as on the soundest and most rational principles, I feel assured that no hon. Member will deny, that, next to the question of Reform, there is none so vitally important to the best interests of this country and Ireland as the question of tithes; and, for this reason, it is right and proper that, before we enter upon the consideration of this question, we should endeavour to make ourselves masters of all the information and knowledge of its different bearings which such a question so imperatively demands, and which it is possible for us to obtain. Now, Sir, can it be asserted for one moment that we are at the present period in possession of such information? It is true that we have before us sufficient evidence to justify us in agreeing to a declaration of the necessity of a change in the present system—such declarations as we agreed to last night; but such evidence furnishes us not with ground whereon to found resolutions declaratory of the nature of that change. I have no doubt that further inquiry and strict investigation will demonstrate the necessity of much more effectual alterations than appear to be at present contemplated by his Majesty's Ministers. It, therefore, stands to reason that, until we have before us sufficient evidence to enable us to come to a final and satisfactory conclusion with regard to the course to be adopted on this all-important and complicated question, we pause, before we bind ourselves to any limited or partial declaration, which, before long, the new light that additional investigation will unquestionably throw upon the subject will, in all likelihood, oblige us to abandon. If we legislate, let us legislate on fair and rational principles—such principles as shall give the stamp of permanence to our acts—such acts as shall be received with approbation and satisfaction by a grateful and a reasonable people. But let us not have to undo to-morrow that which we have done to-day. Let us not measure the goodness of our intentions, nor expose ourselves to the derision of other nations, by any unworthy exhibition of political vacillation. Sir, with respect to the Resolution immediately before the House, I cannot but deem it exceedingly impolitic at the present moment, and likely to be productive of the worst consequences, because I am firmly convinced, now that the people of Ireland perceive that an alteration in the system so much and so justly complained of is not only contemplated, but determined on, by his Majesty's Ministers, they will readily and rejoicingly come forward, and, without even the application of those coercive measures which are at present in force, pay up the arrear as far as their means will admit. This assumption those who are best acquainted with the real causes of the opposition to the payment of tithes in Ireland will readily support. Whence arose this opposition? Was it from distress? Was it from inability on the part of the people to answer the demands made upon them? No, Sir, it proceeded from an unanimous determination to bring about the abolishment of an impost which was oppressive, not so much from its amount as its injustice. Having, therefore, a fair—I may say a certain—prospect of success—knowing that much will and ought to depend on their compliance with the law as it at present stands—so long as that law shall exist, is it to be supposed that they will be such fools to their own interests, as, by a continued opposition to obstruct the good intentions of the Government, and darken the bright prospects that are dawning upon them? I cannot believe it. Under these circumstances, therefore, I doubt not that any person who will view with an unprejudiced eye the real state of the case, will readily admit that compulsory measures, however justifiable and beneficial on other occasions, on this can have no other effect than fomenting and perpetuating that spirit of animosity and ill-will which, at the present moment, prevails to such an alarming extent in Ireland, and destroying the anticipated good effects of the promised boon by the measure of impolitic and uncalled-for severity with which it is coupled. These, Sir, are my motives for opposing the further consideration of this Resolution; and I feel assured I am supported in such opinions by all who have impartially considered the subject; and, in conclusion, I will say, therefore, to his Majesty's Ministers—"Try the people of Ireland for a time, and if they do not prove themselves worthy of the trust, the same power to apply for extraordinary measures that exists at the present moment will be equally available in a future Session: you will then have reason and justice on your side, and cannot in reason and justice be opposed;" but let me beseech his Majesty's Ministers to abandon for the present a Resolution so uncalled-for, and give a fair trial before they condemn.

Sir *Charles Wetherell* said, that this question was deserving of particular consideration, not only as it related to Ireland, but as it might affect England. This part of the subject did not appear to him to have received sufficient attention in that House. The law which had been propounded on the subject, might be good at Nice or Antioch, but it would not do in England. There never was a time, however, when the decree of a foreign council made the law in England. In that doctrine, he expected the cordial concurrence of the noble Lord, the Chancellor of the Exchequer, and the right hon. Gentleman, the Secretary for Ireland. They would agree with him, also, in saying, that the Church was entitled to the full value of the tithes, and, notwithstanding what the hon. Member for one of the Irish counties had asserted, that the whole of that property did not belong to the ministers of religion, yet, he was sure the noble Lord and the right hon. Secretary, would not pay any attention to that doctrine; nor, in any new arrangement they might make as to the distribution of the revenues of the Church, could they intend to take from that Church one guinea, and assign it to the eleemosynary purposes of supporting the poor. They must see that it was necessary they should entirely repudiate the patriarchal law laid down by the hon. Member, and which, if it ever was the practice in any of the continental states, never was so in England or in Ireland. He was not then disposed to enter at large into the Resolutions. One of them was, that Government should assume to itself the duty of collecting the arrears of tithes in Ireland for one year. The details of the plan by which this was to be done had not yet been laid before them, and, therefore, it would be convenient to postpone the consideration of that part of the case, until the Bill was brought in, and until they could understand what that arrangement was. The second proposition laid down by these Resolutions was the extinction of tithes. To that expression he had an insuperable objection. It had been said, indeed, that they ought not to consider that expression by itself, but couple it with the terms of the last Resolution. Notwithstanding that, however, he would rather have used the words—commutation of tithes. He would prefer any word to that of extinction; because, although the measure was in effect only a commutation, yet the use of that expression afforded an opportunity of construction unfavourable to the future interests of the Church. But, he would not trouble the House with a mere verbal argument, because the noble Lord and the right hon. Gentleman had said, that the one expression could not be separated from the other, and that the word ought to be understood as expressive, substantially and operatively, of an intention not to extinguish, but to commute, the tithes. The substitution proposed was, either an equivalent in land, or a rent-charge on the land. The equivalent in land was subject to one very serious objection, namely, that it would necessarily throw a great portion of the land into mortmain. That land would become inalienable, and thus a great portion of the territory of Ireland would be taken from commerce. That was an objection to this mode of substitution; but he did not say that it was insuperable. The other alternative, that of giving a rent-charge, was attended with many difficulties, but without dwelling on them, he would observe, that one of his objections to the language of that Resolution, was founded on the fact that the substitution was attended with such difficulties. The Resolution went to abolish tithes, without any certainty of being able to devise a substitute for them. He should have been glad, therefore, not to have seen the determination to extinguish tithes so positively expressed. He should have preferred a resolution to the effect, that this House would take into its consideration what, if any, commutation or substitution could be had for tithes. He had lately seen some letters, written by a noble Lord, who, could not be a very firm supporter of Government, as to giving a rent-charge in lieu of tithes; because, he said, that a rent-charge, would soon become as onerous on the land as the tithe itself. He merely mentioned this, to show that he was not singular in the opinion he entertained as to the difficulties of this question; notwithstanding the necessity that existed for some measures being immediately resorted to: a necessity, for which, if he was disposed to be ill-natured, he should say his Majesty's Ministers were very much to blame. He had at all times declared his opinion openly, and he now should not shrink from declaring that a great part of the excitement, both in Ireland and in England, was attributable to his Majesty's Government. If they looked at the case as it stood in Ireland, it was demonstrable that some did not pay more than a twenty-fifth, some a fortieth, some a fiftieth, and some even not more than a sixtieth part of what they were legally liable to pay; whereas, in England the tithe amounted to a fourteenth or a fifteenth. He wished, therefore, to impress it upon the minds of the gentlemen of Ireland, that if they give an equivalent either in land or in the shape of a rent-charge, they must pay more than they did at the present moment. When they came to make this arrangement, those who took the land, or the rent-charge, would take more than was now paid for tithe. With regard to what had been suggested by the hon. member for Kirkcudbright, he would take the liberty of observing that, he also, could not be a more efficient supporter of his Majesty's Government on this occasion than the noble Lord, the member for Northamptonshire. The hon. member for Kirkcudbright said, "Here is a plan ready made for you; you have only to send into the Library, the Scotch Lord Advocate, who was not, he supposed, particularly acquainted with the system of tithes in Ireland, and the Irish Solicitor General, who was not very conversant with the tithe-system of Scotland, and they would cook you up a bill in five minutes." You have only to do in Ireland what was done in Scotland, confiscate all tithes, and abolish episcopacy to make all right. If they first absorbed the revenue of the Church, which was its aliment, they would soon see the physical part of it fall to the ground. But he did not think either the noble Lord, or the right hon. Secretary, of whose sincerity in the declaration to support and protect the Church he entertained a high opinion, would be quite prepared to adopt the Scotch plan of his hon. friend, which was nothing less than to confiscate the property of the Church and abolish episcopacy. But the hon. Member would not find it quite so easy to unseat an Archbishop of Tuam, as it was to unseat an Archbishop of St. Andrews, or to unmitre the members of the Church of England, as those of the Church of Scotland. He was sure his hon. friend could not mean to recommend to the noble Lord the adoption of any part of the proceedings which took place in Scotland for the destruction of that Church; for the confiscation of tithes led to the destruction of the Episcopalian Church of that country. It would be well, however, to examine whether it was desirable to destroy the Irish and English Church, before they followed this Scotch example. He, for one, would not go into the library, nor have any part in the work, but would give every opposition he could to any Bill that might issue from that secret seat of legislation. Some of the Irish Members whom he always heard with great satisfaction, though he could not always go along with them in their able, various, and extensive dissertations, had been pleased to say, that the payment of tithes was a badge of the conqueror; and they called for their abolition, because the payment was an evidence of the British conquest. But how did this matter stand? Suppose there should be a person of the name of Wallace, a payer of tithes—was he an Irishman? Impossible; it was an English name. Then, suppose there should be another of the name of Lambert, he surely could not be an Irishman, for he had not got the great O prefixed to his name; nay, the name of Grattan was not Irish, nor was Sheil. No name was Irish unless it had the prefix of the great O—O'Connell and O'Connor, he admitted, were Irish names. He allowed that a name with the great O, or with the Mac, would be evidence that they were not left there by the conqueror. But Gentlemen did not recollect, that with the exception of those names, all persons not bearing an Irish name at the present day, were the descendants of families that came over at different periods. But this was only part of the argument; for with such an argument they might supplant their titles to the whole of their property. These Gentlemen, therefore, would not urge an argument against the property of the Church which was equally forcible against all other kinds of property. Having full confidence in the intention of the noble Lord, he would not comment at any length upon the expression made use of by him—namely, as to his intention to apply the revenues of the Church to Church purposes. The noble Lord had adopted some of the patriarchal language. If the Bill should substitute for tithes a pecuniary payment, and take the control and possession of the property out of the hands of the spiritual persons, whether Bishops, members of chapters, or others, that would be a perfect invasion of the rights of the Church, contrary to the law and history of tithes. He, therefore, objected to the words "Church purposes;" and thought that the language would have been less equivocal if it had been the "maintenance of the clergy." That would have implied that if tithes were taken away, the property substituted would be given to the clergy. Certainly the Resolution itself did not convey the sense implied in the language of the noble Lord. As this was a matter affecting as well the Church of England as the Church of Ireland, whatever precedent might now be formed, would, no doubt, be hereafter followed up. Every member for England must seriously weigh the subject, before he made up his mind to agree to the present measure. And as it was intended that this measure should apply to lay impropriations in Ireland, so also would it hereafter be made to apply to lay impropriations in England. Now, Gentlemen should recollect the immense quantity of land that would necessarily be thrown into mortmain in England by the adoption of such a measure. He did not believe that more than one-third of the tithes in England belonged to the Church; a great part belonged to various chapters, to layholders, to hospitals, and other public endowments. This appeared, therefore, to him an insuperable difficulty in the commutation of tithes in England, either for rent or for land; and he cautioned the noble Lord, and the right hon. Secretary, as to the probable consequences of the magnitude and extent of the principle laid down by the Bill. He had been told that when Mr. Pitt originally considered a similar plan, he felt that the project was wholly impracticable, by reason of the immense quantity of land that would be thrown into mortmain. He thought it right, as a country Gentleman of England, to enter his protest against this Resolution—not going to the length of declaring that a substitution of a rent-charge or of land was impossible, but accompanied with more difficulty than appeared to have occurred to the noble Lord, the Chancellor of the Exchequer. He would not enter into the question of agitation, nor into the plan of distribution, but should reserve his observations on those points to a future opportunity. He must go along with the Government thus far: that if the clergy of Ireland could not collect their revenue, the Government was bound to give them every assistance. So far as that principle went, these Resolutions had his approbation; but whether the mode by which this principle was to be acted upon be good, remained to be considered. Upon the whole, his opinion was, that the Resolutions were not put in a proper form of expression; that the words "extinction of tithes," were used improperly, and that he foresaw great difficulty in acting upon the proposed plan.

Mr. *Cutlar Fergusson* hoped no hon. Member would understand him as having called upon his Majesty's Ministers either to confiscate the tithes of the Church of Ireland, or to abolish episcopacy, in referring to the history of the Church of Scotland, of which his hon. and learned friend was so completely ignorant. The Bishops were abolished by a very different government to that which put the tithe-system on its present footing: in fact, the abolition of episcopacy, as the Established Church, did not take place till 100 years after the period of which he had spoken. What he referred to wholly related to tithes; and so far from confiscating tithes, his proposition was, to let every person have what he was entitled to; but, at the same time, let justice be done to the tithe-payer, and do not take his improvements, while you have a right only to charge the land.

Mr. *Bainbridge* regretted that he was not able, at an earlier stage of the debate, to offer his reasons for opposing the Resolutions; but, as to those now under discussion, the right hon. Gentleman proposed the mode of repayment for the advance made last night, and, in so doing, stated, that he did not ask that new or extraordinary powers should be granted to the Attorney General, but merely such a curtailment of the forms of court, and of pleading as would render very summary that which he would designate as justice, but which they would both agree in calling conviction; in other words, the right hon. Gentleman did not shape his motion that power should be given to the Crown to break open the door of a house, but merely that the inhabitant should be prevented from fastening his door, or preventing intrusion. He would pass the question how far passive resistance was a breach of the law; for even the *primâ facie* report, the Grand Jury finding, admits that, in the great majority of parishes, the resistance is of a mere passive nature, perhaps in some, perhaps in many, little or no more than in this more fortunate part of the empire. Every one of the numerous society of friends thinks it his duty to oppose this same impost of tithes, and the breach of the law being the same, if the Quakers here were as numerous as the Catholics in Ireland, there would be the same necessity for a law; but, if a resistance, merely passive, was such a breach of the law as to call for the grant of new and extraordinary powers to extend over a whole island, and which, from the remote districts where they are to be exercised, though the greatest care be used, and the purest intentions manifested, must be liable to great abuse, he would pray the Committee to notice that these Resolutions did not aim at preventing future evils; they proposed that, as one party was without its dues, it should be relieved, and that the same party should be enabled, by means of the Attorney General, to punish such individuals as it might please that party to point out. The Resolutions did not propose that repayment should be levied on the parish; they did not propose levying on all the defaulters; they proposed that a selection should be made. And he would ask, who was to make it? Must not the clergyman produce his books? Must he not point who had, and who had not, paid his dues? Must it not be from his knowledge of the habits and character of those under his pastoral charge? And, if he were non-resident, must it not be from the statement of his agent or his tithe proctor that the selection must be made? Was the clergyman, his agent, or the tithe proctor, free from human failings and human weaknesses, and could they doubt that this power would not be used to revenge past injuries, and gratify past enmities? He should leave to the landlords of Ireland to point out the consequences which must ensue, if this Resolution was carried into effect. Most hon. Members had heard that great part of the distress of Ireland was attributed to want of capital—many were aware that it was a custom in Ireland to leave in the tenants' hands an arrear of a half-year's rent, too often part of the capital of his farm. Did they think that the landlord would leave this to be seized by the clergyman? No. On the first rumour of an Attorney General's process, he would distrain, and then the Attorney General might bring the thousands of actions which this Resolution enabled him. He might fill the gaols—he would leave misery and desolation, where he found poverty and wretchedness—but the arrears of tithes and his costs he would not get, and each person selected would fancy himself unjustly pointed out, and animosities deeper than those of religion, would be engendered. His principal objection to the last Resolution was, its indefinite nature, and the time that must elapse before they could consider. The House had, in former years, gone a step further than they were now called upon, and no results of importance ensued; and now, with the question of the bank and the circulation; India, its territories and patronage, colonies, poor, and twenty others, it was impossible to consider it till a greater lapse of time, during which, the Catholics would be labouring under the same irritation, and the agitation of all classes must increase. For these reasons, he could not agree; and, as respected the present Resolution, he begged to say, that, never would he give his consent that the claim of one individual upon another, should be redressed by means of the immense and irresponsible power of the Attorney General. It was not arraying subject against subject, which would be bad enough, but unjustly arming one with the power and irresponsibility of the Crown—it revived that practice so productive of litigation and animosities, against which the statute of "William," the great restorer of our liberties, was directed, which forbade one subject, for his own benefit, to sue, through the Law Officers of the Crown, another subject; it prevented the irresponsibility of the Crown being assumed as a shield by a subject. The clergyman and the farmer were the parties here, and he could not imagine that that practice which our ancestors found injurious in England, and against which they legislated, would prove beneficial when tried in Ireland.

Sir *Edward Sugden* said, the hon. member for Wexford, by the tone of his remarks, appeared to have endeavoured to persuade the House to give relief to the clergy of Ireland, at the expense of the people of England. Nobody was more ready to give assistance to the clergy of Ireland than he was, but he could not consent to pay them money out of the Consolidated Fund; and then not to enforce the repayment of that money, by those who ought to have paid it in the first instance. He had paid his tithes in England; why, then, should he be called upon to pay the tithes of Ireland, because those who ought to pay them did not choose to obey the law? He was content to advance the money to the clergy, at even the chance of a loss, but he was not willing to make this advance for the benefit of those persons who had openly resisted the law of the land. The hon. member for the county of Wexford had endeavoured to affix upon the clergy of Ireland the character of being extortioners; one hon. Member said, that he could not speak in unqualified praise of the landlords of Ireland; and, as there were some unkind landlords, so, undoubtedly, there were some extortionate clergy. It was impossible to speak in terms of praise of any large body of men, without, at the same time, making some exceptions. He was glad that the hon. Member bore testimony to the good character of the great mass of the clergy in Ireland. Was it not, then, tyranny in the people of Ireland, to resist the enforcement of the just rights of the clergy? There was no greater tyranny than the tyranny of the mob; and as he would resist the tyranny of one, so would he resist the tyranny of many. There was nothing more dangerous to the very existence of the country than what, by a curious junction of words, was called "passive resistance," and which hon. Members seemed so anxious to inculcate on the people. Passive resistance! It was a gross disobedience and violation of the law, more dangerous than actual rebellion, for that could be met and put down. How was this passive resistance justified? No man could be indicted for the non-payment of tithes, and, therefore, the non-payment of tithes was no breach of the law. All that was said is, "I will not pay—you may help yourself." But, if a man did go to help himself, he met with the trifling impediment of a broken head; and, if he should succeed in helping himself, he could not sell that which he had taken. Now, men who thus violated the law were not deserving of the protection of Government. He would hold no communion with a man, whatever might be his political opinions, if he could act upon such sentiments. The hour would come when those Gentlemen who so cried up passive resistance would rue the day they first broached such sentiments. Would the peasantry of Ireland or of England, who heard these sentiments, fail in following them out in all their consequences, till, at last, they came "passively" to resist the payment of rent. A pretty situation a gentleman would be in, who was expecting to receive, or who had appointed his steward to receive, his rents, and who was not able to offer the same "passive resistance" to his trades people. The hon. member for Wexford said, that it was inconsistent to enforce the payment of these tithes, when it was, at the same time, proposed to abolish them. Now, although he had supported the Government in this measure, because he thought it ought to be supported by every person, without reference to party feelings, he found fault with that expression in the fifth Resolution, which spoke of the extinction of tithes. This was evidently thrown out, he would not say as a sort of bait, for that might be offensive, but as a sort of concession to those who opposed the resolutions. The effect of it, however, was this, that they at once said, "how can you ask us for additional powers, when you yourselves mean to extinguish tithes." He knew the right hon. Secretary said, there was to be an equivalent for the tithe; but why encourage hopes that would not substantially be realized? The hon. member for Wexford further said, that he considered himself robbed and insulted by the demand of tithe—robbed and insulted, because, being born in the nineteenth century, he had inherited from his ancestors an estate which had always paid tithe! Did he expect that the payment of tithe could be resisted, and the payment of rent, at the same time, enforced? It was quite absurd to suppose that the first could perish, and the other survive. Would those who were so clamorous against tithe like the substitute which was to be proposed for it—a substitute which would act as a perpetual rent-charge on their estates, which, let there be corn-laws or not—let prices be high or low—let there be a good season or a bad season—they would still have to pay? From what the hon. Member had said, he should not think he had referred to the words of the oath he took, as a Roman Catholic, on entering this House. The words were these, 'I do 'swear that I will defend, to the utmost of 'my power, the settlement of property 'within this realm, as established by the 'laws; and I do hereby disclaim, disavow, 'and solemnly abjure any intention to 'subvert the present Church Establish'ment as settled by law within this realm.' He did not mean to assert that there was anything in that oath to prevent Gentlemen from entering upon the consideration of an alteration of the existing law; but he denied that, consistently with that oath, any Gentleman was at liberty to advocate the doctrine of passive resistance to the payment of tithe, or to argue that he was robbed, and insulted, and the peasantry injured, by being required to make the payment. No man, in his character of a legislator, was debarred the privilege of proposing what might be an amelioration of the law; but no man, who had taken this oath, ought to strike so fatal a blow at the settlement of property as to encourage the evasion of the law. The clergy held their tithes at least by as good a title, in old times it would have been said, by a higher title—as the hon. Member held his own estate. Doctrines like these would be the result of the Reform Bill, which had already passed that House; but if they were to travel on this way, they would leave nothing for a reformed Parliament to do.

Mr. *Lambert* trusted he might be allowed to say a few words in explanation. The hon. and learned Gentleman accused him of having charged the established clergy with oppression and extreme severity. He did no such thing; he merely said, that it had been his misfortune to find the majority of the few clergymen he had known conduct themselves in the most oppressive and tyrannical manner. He did not extend his censure to the whole body. God forbid that he should not at all times be willing to admit that there were many clergymen most deservedly respected for their benevolence, humanity, and lenity, in levying their tithes. The hon. and learned Gentleman had said, that his arguments were calculated to produce extreme mischief, and had represented his speech as a violation of the oath he took on entering the House; and himself as the advocate of disturbance in Ireland.

Mr. *Hunt* said, that he did not rise for the purpose of continuing the debate; on the contrary, as he had heard that no less than fifteen Irish Members were anxious to address the House on the subject at present before it, he rose to move, "that the Chairman do report progress, and ask leave to sit again."

Mr. *Stanley* put it to the House, whether, after five nights' discussion on the whole question, it would not so far accommodate the Government as to consent to the remaining Resolutions by which he would be enabled to bring in the Bill, when the whole question could again be fully debated, and discussed through the various stages of that Bill. He himself had not, nor should he endeavour to thwart or impede the discussion of the subject of which he was as determined in his support as hon. Members seemed to be in their opposition, and he would ask of the House, to assist so far in the public business of the country, as to permit the Resolutions to pass their present stage.

Mr. *Hunt* said, it was disgraceful to be discussing so important a question at the present advanced hour of the night, and he should, even if unsupported by any Irish Member, persist in his motion.

House resumed. Committee to sit again.

HOUSE OF LORDS,

Thursday, March 29, 1832.

MINUTES.] Returns ordered. On the Motion of Lord TEYNHAM, the Amount of New Zealand Flax and Hemp Imported for three years, up to 1832.

Petitions presented. By the Earl of RODEN, from Sunday School Teachers of the City of Dublin; from Bridport, Dorset; from Dorchester; from Belchamp, Essex; and from St. Paul, Shaftesbbury.

EDUCATION (IRELAND).] The Earl of *Winchilsea*, in presenting, pursuant to notice, the Petition of a numerous body of the Clergy and Gentlemen of the County of Kent, against the new system of Education introduced by his Majesty's Government into Ireland, could not content himself, in justice to his own feelings, and to those of the respectable Petitioners, without saying a few words upon the subject. He regretted that he had hitherto been prevented from taking any part in their Lordships' discussions on this subject, and that from the absence of a noble friend of his on Thursday last, his vote should not have appeared in the division which took place upon that occasion. He deplored this because he was convinced that there never was a subject which required deeper deliberation, or one in respect to which it could be more truly said, that a single false step must produce consequences the most fatal to the interests of this Protestant empire. He regarded the question exclusively in its character of a religious question, and he solemnly protested, in his own name, and in that of the Petitioners, that they had no disposition to convert it to political purposes. If the noble Lords opposite imagined that the opposition to this system of education originated in feelings of political hostility, he could point out to them many names among the signatures attached to the petition he held in his hand, which they would recognize as the names of men of all other the least likely to be actuated by sentiments of general hostility to the present Government. But they conscientiously thought that the Holy Scriptures, without mutilation or restriction, should form the basis of every system of education supported by a Protestant State. The chief distinctions between the Roman Catholic and the Protestant religion were, that the one admitted, and the other denied, the right of private judgment in matters of faith, and that the latter relied upon the authority of Scripture alone, while the former recognized the equal authority of tradition. But they were differences so important, that it appeared to him impossible for any Committee composed of men thus divided in opinion to concur in any satisfactory or effective system of education. Why was the system of the Kildare-street Society at first sanctioned, and afterwards opposed, by the Roman Catholic hierarchy and priesthood? The simple fact was, that the perusal of the Scriptures had begun to open the eyes of the Roman Catholics to the bondage in which they were kept, and this he believed to be the only real ground of opposition. He asserted that the success of this Society had greatly exceeded the most sanguine hopes of its supporters. And he asked if this was the moment, when the peasantry of Ireland were beginning to throw off the thraldom of that dark and debasing superstition to which they had so long been subjected—was this the moment for a Protestant Government to step in to deprive them of those Scriptures, and of that right of private judgment to which the people of this country were indebted for every blessing they enjoyed, and which had placed them on the highest pinnacle of human grandeur, happiness, and power? He maintained that by a Committee composed of such conflicting materials no system of national education, in which religion was concerned, could be brought to bear; but suppose it possible that the Committee should come to any satisfactory conclusion, the system which they might establish would be only the more pernicious. He was led to this opinion by what he found contained in a letter addressed to the Commissioners by Mr. Carlisle, who said, that in expounding the Scriptures to Catholics, it must be done from one of the two authorized versions; and the letter concluded by saying or "such as the Board shall direct," so that the question as to which of two translations of the Bible should be employed was treated as a matter of indifference. But if this was a matter of indifference, what authority could they have for the authenticity of any translation? He entreated their Lordships to look to the situation of the different parts of Ireland. He asked them if the population of those parts where the Protestant religion prevailed was not composed of persons more intelligent, peaceable, and industrious, and whether it did not consist of better men and better subjects, than the population of those provinces in which the power of the Church of Rome was most firmly established? Could they be justified, then, in adopting a system of education calculated to strengthen and extend this pernicious power? He would here beg leave to advert to an expression which fell from a right rev. Prelate in the debate of last Thursday. That right rev. Prelate said, that it was the duty of Government to supply education to the people without violating their religious principles and feelings. To this he would answer, that if those feelings were in accordance with Scripture, the free circulation of the Scriptures could not violate them. If, on the other hand, they were not conformable to Scripture, then he should contend that it was their duty to expose them to a test which they could not sustain. He would not apply to the right rev. Prelate for an elucidation of the duty of Government on such a subject, for from a book of his which he had recently perused, he doubted whether the right rev. Prelate considered conformity with Scripture to be of much importance in religious doctrines. There was also another reason why he should not apply to the right rev. Prelate upon this, or any other subject; for he had, in a recent publication, accused the majority of their Lordships of factious motives in their decision of an important question. This accusation he did not scruple to characterize as a malignant libel. He would not ask the opinion of the right rev. Prelate, who had thus insulted him and a majority of that House, but he would call upon their Lordships for an expression of their sentiments upon the subject, and upon the noble Earl at the head of his Majesty's Government to retrace his steps. He had compared the two religions for himself, and he demanded the free circulation of the Scriptures in behalf of that which could alone endure the application of this unerring test. The present attempt to conciliate, by the compromise of principle, would, like every former attempt of the same kind, only widen the breach between the Protestant and Popish divisions of the Irish people. He abjured the noble Earl, by his duty to his country and his God, not to persevere in his present course, for if he did a spirit would arise in this country compared to which the excitement occasioned by the important question of the Roman Catholic Claims would be like "zephyr to the wildest storm that ever shook the world." He called that God, in whose presence he stood, to witness that he would stand forward with those who were prepared to show that in this country there still remained some sincere attachment to religion, and a firm determination not to permit that any impediment should be interposed to the free circulation of his Word. He spoke warmly, for he felt strongly upon the subject. He had no desire to give offence, but he could not treat this subject with calm indifference. All he asked in the name of the Protestants of this country was, that a free circulation should be given to the Word of God.

Petition read.

Earl *Grey* regretted extremely that the noble Earl who had just addressed the House, had not been present when the subject was regularly under discussion on Thursday last, when he might have had the opportunity of expressing his sentiments, and receiving a full explanation; for he was persuaded that the perpetual recurrence to such a subject, on the presentation of petitions, and especially if introduced with the heat, which he must take leave to say, the noble Earl had exhibited, could not tend to the success of any scheme of education, or to the peace and welfare of the country. It was unnecessary for him to trouble their Lordships with many observations upon the present occasion, as he had addressed them at some length upon the Motion of the noble Earl (the Earl of Wicklow); but as he had been abjured by the noble Earl, in the name of his country and his God, to abandon a system which he had adopted in the firm belief that it would operate to the benefit of the country, he must be permitted to say a few words in its defence. The noble Earl appeared to think that the new system had been hastily adopted; he assured him, however, that it had not been adopted without the fullest deliberation, and a most careful perusal of the Reports of the several Commissions and Parliamentary Committees which had investigated the subject. He could assure him, also, that it had been adopted with an anxious view to promote the education and the peace of Ireland. Nothing could be more unfounded than the assertion that this system debarred the children who were educated at the schools from the use of the Scriptures. Two days in the week were to be set aside in which the children could receive religious instructions from the pastors of their respective persuasions. It was impossible to believe that a Committee which contained two such persons as the Archbishop of Dublin and Dr. Sadler, without naming any others, would ever agree to any regulations detrimental to the interests of the Protestant religion, or sanction any measure calculated to disfigure or pervert the Holy Scriptures. He held in his hand a letter from one of the members of the Board of Education, which he thought placed the matter in its true light. The writer remarked, that the Board did not presume to interfere with any school until the conductors of such school made application for assistance. It was then, and not before, that the Board took the school under its government; and it was made a regulation in all such schools, that the master should assemble those children, whose parents wished it, before school hours; and then they were left at liberty to do as they pleased with respect to the Bible. The Bible was put into their hands, and they had ample opportunity of reading it. The writer went on to say, that the Board prepared such extracts as would prove readily acceptable to both parties; and that a compilation of extracts was a book common to both. Hence the writer with justice inferred, that the Government plan of education formed no obstacle to the reading of the Scriptures by those children whose parents desired that they should read them as an ordinary and common school-book. In the system of education provided by the Kildare-street Society, the Bible was read as an ordinary school-book, the effect of which had been to make the two parties in that country who differ on the education question, more inveterate against each other than ever. The Bible, alone, was to be read in its schools, and was to constitute the whole of the religious instruction—there was, as the writer said, to be no explanation of it—no application—nothing to enlighten—no prayer—nothing to purify or elevate the young recipients of religious knowledge; and thus was the reading of the Bible perverted to serve a party purpose. A more correct account could not be given of the attempts made—not to enlighten, improve, or instruct, as to proselytize the Catholic children. The noble Earl said, Ministers were about to lend themselves, in the nineteenth century, to a system which went to perpetuate the darkness of the Romish superstition; and then he proceeded to lament the benighted and ignorant state of the Roman Catholic population. But from what cause did that ignorance and darkness proceed, but that the former systems of education were not adapted to the wants of the majority of the people? He rested the whole question upon this simple view which of the two plans were the most likely to perpetuate ignorance—that which was acceptable to the people, and, therefore, likely to be efficient; or that which, by being unacceptable, must, of necessity, fail to produce any but very partial and limited effects? The Government were called upon to provide a system of education fitted for the great mass of the people; and it would have been absurd to offer a plan to which, by previous experience, they knew the people to be decidedly averse. The object of Ministers had been, to give the people of Ireland a system which, by being acceptable, would most likely be useful; and this it was, against which the noble Earl had pronounced such strong and undeserved reprehension. The noble Earl asked, would they exclude the Bible from the schools? He answered that question by affirming they did not exclude the Bible. During four days of the week, which were principally devoted to general instruction, a selection was put into the hands of the children—not altered—not mutilated—but a simple series of extracts; and unless noble Lords were prepared to contend that the whole Bible must be read every day, he was at a loss to discover what objection they could urge to the perusal of those portions of it which had received the approbation of the Archbishop of Dublin and Dr. Sadler. He should, without any apprehension for the results, refer such noble Lords as might be sceptical on the subject, to the authorized list of books approved by the Board. He found, amongst the first of them, a Scripture Catechism, containing explanations of some portions and selections from others, of the Old Testament. Would any rational man call this a mutilation of the Word of God? So far from his thinking that it could be thus considered, he was prepared unhesitatingly to contend—and he did so under the sanction of some of the best and wisest members of the Established Church, in ancient or in modern times—that this mode of instruction formed the best preparation for that full examination of the Scriptures which it was the boast of the English Church to allow to all its disciples. Next in the list was, "an Abridgment of Scripture Lessons, selected from the Old Testament, for the use of the Schools," And then "an Abridgment of the New Testament," formed of lessons composed from the writings of the four Evangelists; and this was what the noble Lord called, not only a mutilation, but a withholding of the Scriptures! There would be no appearance of reason in the assertion, even if the religious instructions of these schools were confined to that amount of information which they received during the four days of the week; but there were two days, in addition to these four, which were set apart for exclusive religious instruction. If the House would permit him, he would read what he thought would be generally received as conveying a very authoritative decision on this subject. The question was put to the late Archbishop of Dublin (Dr. Magee), "Does your Grace think that the general reading of the Bible, as such, is desirable, and ought to be adopted in schools?" He answered—"If the question be put to me, do I think the Bible, as such, ought to form a school book, I say it ought not; but I think there are many parts of it which might advantageously be made the subject for an exercise of memory." Dr. Magee was a divine whose learning was as much above question as was his zeal for the propagation of Protestantism, and his never-ceasing solicitude to oppose the advance of the Roman Catholic religion. Noble Lords opposite must abandon all show of consistency when they impugned his authority. This answer constituted a full vindication of the whole system; but, possibly, it might be necessary, for the satisfaction of some of their Lordships, that he should go a little further into detail; and he did this the more readily, as he was deeply anxious to stem the torrent of prejudice which had been setting in strongly upon this subject; and which, if permitted to flow on unchecked, might prevent the success of the plan; and certainly nothing was more wanted in Ireland than a general system of education. He was ready to admit, to a certain extent, that the Kildare-street Society was not altogether unproductive of advantage, but he must be allowed to doubt that it was efficient for the purposes of general education. He found, by the Returns laid before Parliament, that the schools in Ulster amounted to 1,021; those in Leinster to 247; in Munster, to 240; and, in Connaught, to 212. He must beg of their Lordships to consider what this statement tended to prove. They must perceive that the schools extended chiefly in those districts which were Protestant; and that where, according to the supporters of the Society, they were most wanted, they were least efficient. He observed, also, that, among the subscribers to these schools there was not one Bishop, and amongst the noblemen whose names were to be found in its list of subscribers were Lords Charlemont, Darnley, Dunsany, Plunkett, and Wicklow. These noblemen supported the institution with their subscriptions, and, therefore, could not be supposed to feel any very strong prejudice against it; yet, when the proposal for a better was presented, three of them gave their votes in its favour. But, to go back to the returns made by society of its schools and pupils: in the year 1827, the number of pupils amounted to 58,000. There was some reason to doubt the accuracy of this return, for the Society returned a number of children amounting to 95,165: whereas the report said 58,000, one half of whom were Protestants. In the Society's Transactions in 1825, was a list of schools, up to the 5th of April in that year, amounting to no fewer than 1,517. In the returns from the clergy only 900 schools were included Then they had a list, specifying the 900, and also the 617; and the difference consisted in this—that the clergy only returned those which were open and operating; whereas, the Society made a return of all that had ever applied for assistance—of all that had ever opened at all—of all that ever intended to open—in short, of every name that had been once inscribed upon their books. But he need not tell their Lordships that, of that number some had closed, and some had never commenced. It was, then, from a conviction that the system of the Kildare-street Society could never operate beneficially for Ireland that he should continue to give his support to the plan recently established under the new Commission. If the value of any such system could be estimated by its immediate results, he should say, that the new Board had been, up to this moment, eminently successful. He had in his possession a letter from the Secretary, stating, that the Board had received 195 applications, many of them for two, several for three, and one for ten, schools; that the number of children in connexion with these schools amounted to no fewer than 13,433; that, in Ulster, applications had been made on behalf of forty-four schools; in Connaught, for nineteen; in Munster, for ninety; and, in Leinster, for twenty-seven. He held in his hand, also, a letter from a gentleman, with whom he had no personal acquaintance, and which he received only that morning; it was signed "Robert Wilson, moderator of the Presbyterian Synod of Belfast, and minister of the first Seceding congregation in that town." The writer said, he felt it due to himself to correct a misrepresentation which had taken place in the House of Commons upon this subject. Certain members of that body were reported to have stated, that the Presbyterian Synod of Ulster had declared against the system established by the Commissioners of Education in Ireland. The Seceding Presbyterian Synod, so far from making any such declaration, had, it seems, appointed a committee to ascertain precisely what were the intentions of the Commission; and, therefore, he was enabled to give the statement made in the House of Commons a most decided contradiction. Their earliest anxiety was, to ascertain the views of the Commissioners, that they might not raise an undeserved opposition. Mr. Wilson went on to say, that he was the more anxious to set this matter right on account of the mass of misrepresentation which had gone abroad on the subject. This, and the other facts which he had brought under the view of their Lordships went, he thought, pretty clearly to show that implicit credit was not due to the various statements with which that and the other House of Parliament had, for some time past, had their attention occupied. He was far from attempting to say, that there had not been a very strong opposition raised in Ireland; and was not only grieved, but surprised, that such an opposition should have existed, in the nineteenth century, to that only system of education ever established in Ireland, which deserved the name of national: It was a system which did not exclude from its benefits those who differed from the Established Church, at the same time that it received within its circle those who belonged to that communion, giving neither party rational ground of complaint, yet excluded all ground of controversial difference. The noble Earl had disclaimed the influence of all party spirit, and he gave him full credit for the sincerity of that disclaimer; but though, in his proceedings, there might be no mixture of party spirit, yet he could not help observing, that, in them there was something of a mistaken zeal, which would not promote the peace and harmony of the country, nor advance the interests of true religion.

The Bishop of *Chichester* thought it would be superfluous in him, after the manly and unanswerable statement which their Lordships had just heard from the noble Earl, to trouble them with any observations, confirmatory either of his facts or of his reasonings. He should not, therefore, have trespassed upon their Lordships were it not that a personal allusion had been made to himself, of which it was necessary for him to take some notice. The explanation which, on a former occasion he gave to the House, would, he had hoped, have proved satisfactory. He disclaimed, then, anything like the slightest intention to treat any portion of their Lordships with disrespect; but a different subject was at present brought under consideration, upon which he felt it necessary to make one or two observations. The noble Earl who presented the petition which was then before their Lordships had thought proper to rake up the ashes of a forgotten controversy. Unfortunately, many years ago, he had been engaged in a controversial question; on that occasion it was his lot to have differed from many friends upon whose judgment he placed great reliance. That difference was produced in his mind after a long and careful perusal and examination of the Scriptures; and the conclusion to which he came from conviction was, that the Bible, as a whole, was not a desirable book to be put into the hands of children for the purpose of ordinary and every-day school instruction. He was, at that time, exercising the humble office of a reviewer; and a book was put into his hands which expressed an opposite opinion. From the sentiments, of the author, in his review of his work he felt himself conscientiously bound to express a strong and decided dissent, which he had accordingly done; but, he trusted he did so in a Christian spirit. Twenty years and more had elapsed since that period, but yet he did not scruple to affirm that the sentiments he then expressed remained unchanged; and he defied the noble Lord, or any other person, to discover a single expression of his favouring the sentiments of the sect to which he had alluded. He never expressed an opinion —for he never felt one—in favour of their doctrines; and the more he had read, and the more he had reflected upon religious subjects, the more had he felt increasing attachment to the doctrines, discipline, and practice, of the Church of England.

The Earl of *Roden* admitted that the children to be taught under the new system were to have two day set apart for religious education; but then he wished to remind their Lordships that, during those two days the Catholic children were to be handed over to the Catholic Priests, who were averse to the reading of the Scr pture; and, during the other four days, the Protestant clergy were effectually excluded from the schools. This he considered a most mischievous system, for he could state, upon his own knowledge, that Catholic children in Ireland were most desirous to have the Bible, and there were several instances in which they had left their own schools for the purpose of being admitted to such as had the free use of the Scriptures. He had never asserted that extracts from the Bible should not be used in schools; but what he maintained was, that a free access to the Sacred volume should be open to all. Many of the children in the higher classes were fully competent to understand them, and he saw no reason why they should not be allowed the persual of them, except the desire to gratify Roman Catholic demagogues, which seemed the principle on which the system was founded. Nothing was more clear to him than that the Protestants of Ireland were opposed to the proposed plan, and those who asserted the contrary only attempted to stultify their Lordships. Witness the several petitions on their Lordships' Table, more particularly that which he had the honour to present from Cork, in which the Protestants there, including the great majority of the rank and intelligence of the county protested against the suppression or restriction of the use of the Scriptures. The noble Earl opposite had talked of stemming the tide of opposition to the new Bill. For his own part he could not see how that was to be done but by abandoning the measure altogether—a measure of great injustice and partiality, in as much as it deprived the Kildare-street Society of the usual grant, whilst it left untouched that of the Catholic College of Maynooth.

The Earl of *Winchilsea* said, that he had never objected to selections from the Bible, but all the recognised societies which had used such selections or extracts had invariably in them referred to the chapters from whence they were taken, and the Scriptures were accessible for such reference, but these were withheld by the noble Earl's plan, and this constituted the difference, to which he thought Protestants would never consent.

The Archbishop of *Armagh* did not think it would be necessary for him again to refer to this subject; but as he verily believed that this proposed measure tended to the subversion of the Protestant Church, he could not refrain from persevering in his opposition to it. This Bill involved the interests of the Protestants and the Established Church in Ireland, and went to destroy institutions which at present afforded the means of religious education to thousands of children of different religions, who were brought together and enjoyed the most friendly and amicable intercourse. He could not think of disturbing such a system for an untried experiment, or rather for one which had already been found to be impracticable. The new plan would produce division, as the Protestant clergyman would still insist upon his right of giving Scriptural education, while the Roman Catholic clergyman was sure to persevere in an opposite course. What he protested against, and what was objected to by the Protestants of Ireland was, that, in a Protestant country the Scriptures should, directly or indirectly, be excluded from schools.

The Earl of *Wicklow* said, the noble Earl at the head of his Majesty's Government had alluded to what passed on a former night, he felt it necessary to trouble their Lordships with a few observations. It was quite evident, that the noble Earl had taken a lesson since the last discussion on this question. He had endeavoured to make himself better acquainted with the subject, but he still appeared to be very deficient in the information which was necessary to enable him to explain to their Lordships the circumstances attending the change in the system of education proposed by Government. Upon one point he differed most materially from the noble Earl—he meant as to the circumstances which he stated with respect to the Kildare-street Society. He was convinced that the noble Earl had received erroneous information on that point. If the statements which the noble Earl had made could be substantiated, if he could produce evidence to satisfy their Lordships that the reports which had been issued by the Kildare-street Society, year after year, detailing the progress of the institution, had been false as he insinuated, he, for one, would withdraw his confidence from the Society. The noble Earl had made some observations, and read certain extracts, with a view of persuading their Lordships that the system of education pursued by the Kildare-street Society was not calculated to meet the wishes of the Roman Catholic population; but if their Lordships would refer to the Report of the Commissioners of Education made in 1825, they would find that the noble Earl's assertion—that the parents of Roman Catholic children were averse from the reading of the Scriptures—was not borne out by fact. The extracts which the noble Earl had read from the evidence of Dr. Magee were totally inapplicable to the question before the House; as they all agreed that the Bible ought not to be made a common school-book. It was precisely on this principle that the Kildare-street Society had acted. The Society never allowed the Scriptures to be made a school-book, but only required that a portion of them, selected by the master, should be read in school by the senior class: this, however, was selection, not mutilation. The Report of the Commissioners of Education made in 1825 said, that, about twenty years ago, the Scriptures, as they were led to believe, were not read in more than 600 schools in Ireland, whilst at that time (1825) it was ascertained that they were read in 6,558 daily schools, and 1,544 Sunday schools. This, the Commissioners said was an improvement which the most sanguine persons could scarcely have anticipated. The Commissioners further stated, that of these schools only 1,689 were connected with any Society whatever, and that in the remaining schools, the Scriptures had been introduced by the voluntary choice of the masters, who depend for their subsistence upon the parents of the children; "a signal proof," the

Commissioners observed, "that the population are not opposed to the reading of the Scriptures." The Commissioners then made this remarkable observation—"That the amelioration of the education of the Irish peasantry was still in progress, and could be checked by no means less powerful than an unwise interference on the part of the Legislature." The noble Earl had stated, that the Roman Catholics object to the system upon which the schools of the Kildare-street Society are conducted. In reply to this observation, he would state the opinions of some persons well known in that House, extracted from the books of the Society. Dr. Doyle, one of the petitioning Bishops, after having heard the children in one of the schools read the Scriptures, entered in the visitors' book a declaration of his approbation of the principle upon which the Society's schools were conducted. On a former evening, when he had quoted the opinions of Dr. Kelly, another of the petitioning Bishops, the noble Earl said that those opinions must have been expressed a long time since, but the opinion which he was now about to quote was expressed in 1830. Dr. Kelly, after having visited the schools established under the Kildare-street Society on the estate of Sir Francis Lynch, which were attended by Roman Catholic pupils, declared that, in his opinion, there was nothing offensive to Roman Catholics, or their religion, in the course of instruction there pursued. He would trouble their Lordships with only one more opinion, namely, that of a Catholic priest. After examining the regulations in the schools of the Kildare-street Society, he said that no reasonable objection could be made to them by any denomination professing Christianity. Those opinions give a decided contradiction to the statement that the Roman Catholic people or priesthood were averse from the institution which there seems now to be an intention to subvert. He did not mean to charge the noble Earl with a direct intention to suppress the Kildare-street Society, but by withdrawing the grant from that Society, he had thrown a degree of odium upon the institution, and placed it in a more unfavourable situation than that in which it stood before the grant was originally made.

Petition laid on the Table.

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HOUSE OF LORDS,

Friday, March 30, 1832.

MINUTES.] Bills brought in. By Lord TENTERDEN, for Shortening the Time of Prescription in Certain Cases, and for Shortening the Time required to Claim Exemptions from paying Tithes:—By Lord AUCKLAND, for Consolidating and Amending the Laws against Offences relating to the Coin.

Petitions presented. By Lord KING, from the Landholders and Farmers of Kilbritten, for the Abolition of Tithes in Ireland:—By Lord CLONCURRY, from the Landholders of Coolbanaher and Ardu, for an Alteration in the System of Irish Tithes:—By Lord KING, from 2,100 Inhabitants of Leicester, in favour of the proposed System of Education for Ireland:—By Lord BEXLEY, from the Inhabitants of Rochester, Chatham, and Stroud in Kent:—By the Bishop of EXETER, from the Clergymen of his Diocese; and by the Earl of RODEN, from White Roothing, and Kilmalooda, against the said Plan of Education:—By Lord CLONCURRY, from the Distillers in Londonderry, for the Abolition of the Malt Drawback, or for the Suspension of the Spirit Intercourse with Scotland:—By Lord KING, from the Operative Spinners of Bury, for the Limitation of the Hours of Working of Children in Factories:—By Lord PETRE, from the Freeholders and Inhabitants of Essex, in favour of Reform of Parliament.

REFORM OF PARLIAMENT.] Lord *King* presented a Petition from the Members of the Council of the Political Union of Bradford, praying for Parliamentary Reform. The petitioners entreated their Lordships to pass the Bill now upon their Table; and they said, that had it been passed forty years since, the country would not now labour under that dreadful amount of debt and taxation with which it was so much oppressed.

Lord *Wharncliffe* said, he would avail himself of that opportunity to ask the noble Earl at the head of his Majesty's Government whether he had any objection to the postponement of the second reading of the Reform Bill from Thursday in the next week till the following Monday. The reason for his suggesting this postponement was, that it might be inconvenient for many noble Lords to attend so early as Thursday, on account of the duties which they had to perform at the Quarter Sessions. A delay of two or three days was not material, and, besides, Thursday was not a very convenient day, since, if the debate commenced on that day, it would, in all probability, be necessary to adjourn it over to the week following. He wished for no unnecessary delay, but this delay would not be very material, and would be attended with a great convenience to several noble Lords.

Earl *Grey* was decidedly opposed to any unnecessary delay in the progress of the Bill, but on the ground, and for the reason stated by the noble Lord, he would not object to this delay for two or three days, it being understood, that, after this postponement, no further delay should be required. He was aware, that for the reason stated, it might be attended with some inconvenience to several noble Lords to attend on Thursday, and on that ground, he agreed that the second reading should be postponed till Monday se'en-night. He hoped, however, that this circumstance would be considered when they came to fix the time for going into the Committee; and, that after the Bill should be read a second time, as he trusted it would be, as little delay as possible should take place in going into Committee upon it.

The Marquis of *Londonderry* said, that he was quite surprised to hear the noble Earl consent to the delay asked by the noble Baron. Surely the noble Earl should have inquired, before he fixed the time for the second reading, whether any other public circumstance, be it Quarter Sessions or not, was likely to interfere with the day fixed; but, having induced the House to agree to a day of his own selection, it was extraordinary to find him postponing, on such slight grounds, a discussion of so important a nature, on which, according to the noble Earl's own account, the fate of England depended. He should have recollected that the House of Commons permitted no trifling on the subject, and that it devoted even Saturdays to the Bill, in order that its arrival in that House should not be delayed a moment longer than was necessary. The convenience of a few noble Lords might be consulted by the change, but the great body of the Members of the House would have reason to complain. Peers were coming from every part of the kingdom in consequence of the appointment of the noble Earl, and they would think it not a little extraordinary to find the convenience of a few persons preferred to that of the great body of their Lordships. If there was a third party in the House, who had raised themselves into what they thought was consideration in the country—he would not designate them as they were designated in the public Press—who had brought themselves into notice by their wavering declarations and vacillating counsels, it was fit they should be told they had no right to alter the day fixed for the discussion of a great subject to suit their convenience. He did not know what other noble Lords about him might think on the matter, but as an independent individual, he was ready to declare his opinion, and he thought the request of the noble Baron and the assent of the noble Earl equally extraordinary; and he thought that they would both be received in the country not in the most palatable manner. He would not pretend to speak for others, but, as far as he was concerned, he protested against the delay.

The Duke of *Wellington* said, the postponement from Thursday to Monday could be a matter of no great consequence, particularly if the convenience of any noble Lords who were disposed to take a part in the discussion of the second reading of the Bill would be consulted by it. On that point he was indifferent, but he hoped that the noble Earl would grant a reasonable portion of time between the second reading (if the second reading should be carried) and the going into Committee on the Bill. That was a matter on which he hoped some explanation would be given, and he trusted the noble Earl would feel the necessity of not hurrying the measure to a Committee, if he should be so fortunate as to induce the House to read the Bill a second time.

Earl *Grey* said, that in answer to the noble Marquis, he had only to state, that it was no wish of his to delay the second reading beyond Thursday, but at the same time he could not refuse the courtesy which was usually granted, of postponing a measure at the urgent request of some of their Lordships for three or four days. Besides, it was not for the convenience of the noble Baron or his immediate friends that the request was made, but for the service of several noble Lords who were engaged in discharging important public duties in their respective counties. The noble Marquis charged him with neglect of duty in not knowing that the next was the week for the holding of Quarter Sessions—certainly he ought to have known it, but surely, as the fact had escaped him, he could not be blamed for now postponing the discussion of a measure which he had unfortunately appointed for an inconvenient day. With regard to what had fallen from the noble Duke, he had to assure him, that he listened with much attention to all his suggestions, and he would be happy to comply with them as far as it was possible. He had already declared, that if the second reading of the Bill was agreed to, he would not delay the going into Committee, as he imagined that a long time had already been given for the consideration of the subject, and he believed that the House and the public would agree in the justice of that opinion. He was the last person to limit the time for deliberation, but he was equally convinced of the necessity which existed of the Bill not being delayed. The subject was, after all, in the hands of the House. If the second reading should pass—as he hoped, and had every reason to think it would—he would propose an early day for the going into Committee; and any noble Lord who wished for further time might make an application to that effect, and their Lordships would deal with it as they thought proper; but he would be no party to an agreement for delay.

The Earl of *Malmesbury* could not help saying, with reference to the reason assigned by the noble Baron as the grounds of his request for the adjournment of the second reading, that he considered the duty of any noble Lord, as a Peer of the realm in that House, was paramount to any other service whatsoever; and, if the question was put to him individually, he would say, that he preferred discharging his duty in that House to attending at Quarter Sessions or elsewhere. However, the adjournment of a few days could make no great difference; for, even if the second reading were agreed to, it would be impossible for the House, from the nature of the Bill, to get through the Committee before Easter.

Lord *Wharncliffe*, while he admitted that the attendance in the House was the first duty of every noble Lord, could not see what objection there could be to the consulting the convenience of those noble Lords who were willing to discharge their duty there and elsewhere, and he believed that the postponement of the second reading from Thursday to Monday would be attended with no ill effects. With respect to what the noble Marquis at the Table had said about a party in the country, he could only say, that it was not his intention to take any notice of the remark at present. When the debate came on, if the noble Marquis proposed to attack him, or his motives, personally, he assured him, that he should be quite ready to defend himself.

The Marquis of *Londonderry* said, he would only make a single observation. He was not conscious that he had said anything personal, nor did he intend to do so, but he felt that he was at liberty, on the discussion of the Bill, to state what he thought of the noble Baron's late explanations to the House, as well as that of a noble Earl. In doing so, he did not mean to attack them personally, but to comment on their sentiments which they had declared to the House. As to personal attacks, he altogether disavowed them.

The second reading of the Reform Bill postponed accordingly.

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HOUSE OF COMMONS,

Friday, March 30, 1832.

MINUTES.] Bills brought in. By Sir JOHN HOBHOUSE, the Mutiny Bill:—By Colonel CONOLLY, to Regulate the Baking Trade in Ireland:—By Sir EDWARD SUGDEN, to Amend the Provisions of the Statute of Frauds, and to Amend the Laws respecting the Attestation of Deeds, Wills, and other Instruments.

Returns ordered. On the Motion of Lord DUNCANNON, of Papers relating to proposed Improvements of Crown Lands in Ireland:—On the Motion of Sir WILLIAM RAE, of the Minutes of the Proceedings of the Committee of the Court of Exchequer (Scotland) Bill:—On the Motion of Mr. BURGE, of all Manumissions granted in Jamaica, from 1st January, 1825, to 31st December, 1830, distinguishing the Number in each year, and those which were gratuitous, and those paid for, and similar Returns for the other West-India Islands:—On the Motion of Sir WILLIAM RAE, of the Number of Persons tried for Capital Crimes before the High Court and Circuit Court of Justiciary in Scotland, during each of the last five years, distinguishing those Convicted, and those Acquitted.

Petitions presented. By Mr. O'FARRELL, from the Inhabitants of the County of Dublin, for an Investigation into the Turnpike Trusts in that County; from the Governors of Naas and Athy Gaols, for Introducing a Clause into the Irish Jury Bill, Empowering Juries to make Provision for Officers of Prisons; and from the Inhabitants of Monasterevan, for Commuting the Punishment of Death for Offences against Property:—By Mr. SPRING RICE, from the Resident Freeholders and Freemen of Carrickfergus, Complaining of the Constitution of the Corporation of that Town:—By Lord EBRINGTON, from the Manufacturers of Lace in the West of England, against the Factories Regulation Bill:—By Mr. RUTHVEN, from the Inhabitants of Carbery, complaining of the Conduct of the Police, from the Parishioners of Kiltoo, in favour of the Irish Reform Bill, from the Guilds of Tailors and Bakers, Galway, for the Repeal of the Stamp Duties on the Admission of Freemen to Corporations; from the Inhabitants of Lanesborough, the Reform Society, and other Inhabitants of Belfast, the Inhabitants of Ballymore, Eustace, Ballyboght, Tipperkeven, Newport Pratt and Tieranan, for the Abolition of Tithes.

LEARNING THE USE OF ARMS.] Mr. *Hunt*: Seeing the right hon. Gentleman the under Secretary for the Home Department in his place, I wish to ask him a question relative to the three or four men that have been taken up by the police on a charge—I hardly know of what. I should be glad to learn, whether there has been anything like a treasonable conspiracy discovered? or whether the sum total of the offence of these conspirators was playing at single stick? under which accusation, I understand, called by the name of training to arms, they have been committed to prison.

Mr. *Lamb:* All that I have to say, in answer to the hon. Member, is, that these men have been taken before a Magistrate, and that they have been committed for re-examination. I should think, that the House will feel that, under these circumstances, it will hardly be proper for me now to enter into any explanation.

MALT DRAWBACK.] Mr. Spring Rice then moved the Order of the Day for the House to go into a Committee on the Malt Drawback Bill.

Mr. *Horatio Ross:* I am very unwilling either to occupy the time or intrude myself upon the attention of the House, but, however disagreeable it may be to myself, yet, as a Representative of Scotland, I consider it my duty to offer every opposition in my power to this Bill, which, if permitted to pass, will inflict the most serious injury upon the morals of the people of Scotland, as well as its general interests. I shall confine myself to a plain statement of facts. In the first place, I would call the attention of the House to the state of the lower orders in Scotland prior to the allowance of this drawback, which it is now proposed to reduce. At the period to which I allude, illicit distillation was carried on from one end of Scotland to another, not merely in the Highlands, but in the Lowlands also. In the Highlands, I may say, it was the chief occupation of nine out of ten of the peasantry. To give the House some idea of the extent to which smuggling was carried on, I may mention that, in the course of one day's shooting, I discovered forty-seven illicit stills. These stills were in a wild glen, where once, and once only, the Excise-officers ventured to show their faces, and they were then defeated by the smugglers. I am sure I need not point out to the House that such a state of things could not continue without producing the most injurious effects upon the inhabitants of that part of the country. The population were trained up in habits of drunkenness, and a total disregard of the laws; and not only were those immediately concerned in the manufacture of this illicit spirit injured by this system, but a great many others were also tempted to speculate in this illegal trade. The Highlander manufactured the spirits in some remote glen; he had his confederates in the Lowlands. To convey the whiskey from the mountain was, of course, a service of considerable difficulty and danger. Those who undertook it, were frequently caught by the Excise-officers; and, in the constant scuffles which took place between the Excisemen and the smugglers lives were frequently lost, and the jails were constantly crowded by these misguided people. If the smuggler succeeded in eluding the watchful eyes of the Excise, and landed his load of whiskey in the Lowlands, his success held out a temptation to a continued breach of the laws. He disposed of his spirits to the confederates, and then returned to the mountains to procure more, while they, not having any permit, were obliged to resort to every shift and scheme to dispose of it, and, by this means, the evil spread far and wide. Customers were contaminated, as well as the dealers themselves. I have no hesitation in saying, if this system had been permitted to go on for some years longer, the lower orders of Scotland would have been reduced to the lowest stage of moral degradation. This was the state of Scotland many years ago. At last, the attention of Government being called to it, the Commissioners of Revenue Inquiry were instructed to examine into the causes of the wide-spreading evil, and they discovered, what all Scotchmen knew before, that all classes preferred spirits distilled from malt to such as are made from raw grain, the former being both more palatable and wholesome than the latter; and that, in spite of all Excise regulations, malt whiskey could be procured and drunk. But owing to the existing laws, this malt spirit was entirely supplied by the smuggler, because, in addition to the spirit duty, the distiller of malt whiskey had to pay a duty of 2*s.* 7*d.* on every bushel of malt, which necessarily raised malt spirits to such a price, that the smuggler could carry on a profitable trade. The Commissioners of Revenue Inquiry accordingly recommended that a drawback of 1*s.* 2*d.* per gallon should be allowed upon all spirits distilled from malt only. Although this is called a drawback, it is in truth a tax upon the smuggler of 1*s.* 2*d.* per gallon, and should not be viewed in the same light as other drawbacks. In point of fact, the object of it was, to remove the inequality between the raw-grain distillers and the malt-spirit distillers—the latter of whom were subject to the malt duty in addition to the spirit duty. That recommendation was carried into effect, and in a short time, the most decided change for the better took place in the habits of the people of Scotland—the attention of small capitalists was directed to this branch of trade. Distilleries were erected upon the faith of this drawback in every part of the country, but, especially in the Highlands, which, were formerly the head-quarters of smuggling. There are now 334 malt distilleries in Scotland; and so well has this system worked, that such a thing as an illicit still is hardly known—the people have forsaken their lawless mode of life—the farmers, instead of being obliged to encourage an illegal trade, and sell their grain to smugglers, find a regular market for it at the licensed distilleries; and, though last, not the least, important benefit resulting from the measure is, that the revenue has increased nearly a million sterling. And why is the system, which has been found to work so well, to be interfered with? Why, because the great Irish and Lowland Scotch distillers, who use only raw grain, finding that the monopoly they enjoyed was interfered with by the great increase of the number of legal distillers from malt, have thought proper to make the most unjust, unfounded clamour against the Scotch malt distillers. They have been supported by the united body of the Irish Members; and the Government yielding to the clamour granted a Committee to inquire into the effects produced by allowing this drawback. I was one of that Committee, and what was the result of our inquiry? Why, that not one case of the alleged frauds could be proved against the Scotch distillers; and it also was proved, in the most satisfactory manner, that the destruction of smuggling in Scotland was to be attributed entirely to the drawback allowed on malt spirits. The Commissioners of the Board of Excise also expressed their opinion in the most decided terms upon this subject. I beg to refer hon. Members to their Report. The Commissioners of Excise ought certainly to understand this subject, and they have expressed in the most positive manner, that "it would be impolitic and dangerous to interfere with this drawback, both with regard to the revenue and the chance of again opening the door to smuggling." Yet, in the very teeth of all this—with the recollection of the former state of Scotland still fresh in their memories—in defiance of the Reports both of the Select Committee, and of the Board of Excise, with the certainty that smuggling will again commence—the Government is about to break down that protection which has conferred so many benefits upon the country. I have scarce temper to speak of the conduct of Government with regard to this Bill. I have hitherto been one of their steady supporters; but I must confess, my confidence in them is very much shaken. It appears to me, they are wantonly about to ruin a great many individuals; it appears to me they have neither justice nor good policy on their side, and I must frankly assert, that the chief cause of their having brought in this Bill, has been with a view to conciliate the Irish Members. Of this, however, I am certain, that if it is permitted to pass, the immediate consequences will be the re-introduction of smuggling, and the total ruin of those unfortunate persons who have invested their capital in malt distilleries, upon the faith of this drawback being continued. At present, it is so nicely balanced between the legal distiller and the smuggler, that it is all the former can do to drive the latter out of the market; but when 6*d.* per gallon is taken from him, as it is proposed to do by the measure now under discussion, it will be quite impossible for him to compete with the illicit distiller. I do most earnestly supplicate the Members of this House to pause before they permit such an injury to be inflicted upon Scotland. I know that there are many Members on this side of the House, who will at present support Ministers under all circumstances, but, I also know, there are many independent Members on both sides—to them I appeal. I entreat them also to bear in mind the former state of the lower orders in Scotland; the improvement that has taken place under the present system—that they will pay some attention to the Reports of the Select Committee of the Board of Excise; and, that they will also bear in mind the certainty of a recurrence of the present state of things, if this Bill is permitted to pass. I am certain that, if they will take all these circumstances into consideration, I shall not appeal in vain to the Members for England, and that they will not sacrifice the welfare and interests of Scotland to the bad policy of Ministers or the clamour of the Irish. I shall, therefore, move that this Bill be committed this day six months.

Mr. *Sinclair* rose to second the Motion, and to enter his protest against the measure before the House, because its adoption would militate against the moral welfare of the district which he had the honour to represent, as well as against the interests of Scotland in general. The system this Bill was about to subvert had been attended with the most salutary effects; he could confirm his hon. friend's statement that it had put down illicit distillation, and thereby improved the revenue. He firmly believed, that, if this measure should pass into a law, it would be necessary to enlarge all the gaols in Scotland for the reception of smugglers.

An *Hon. Member* thought the Bill, which ought to be entituled "A Bill for encouraging Smuggling in Scotland," went the length of accusing the Scotch distillers of frauds which had not yet been proved against them.

Mr. *Dawson* meant to give his support to the Government on this subject, and he hoped, notwithstanding the opposition of the Scotch Members, that Ministers would persevere in passing this Bill. The effect of the Report was merely to call the attention of the House to the evidence, so that hon. Members might form their own opinion. Whoever would undertake to wade through it, must perceive that the allowance of a drawback opened the door to the greatest fraud on the revenue. The hon. Gentleman said, that no fraud had been proved to have been committed, and he would allow, that no case of distinct fraud had been made out; but, not a single person was examined before the Committee—not even the distillers themselves—who did not state that the law was such as to permit fraud. It appeared, that the malt and the raw grain were deposited, in many cases, in a loft above the building, where the distillation was carried on, and there were no means of preventing the distiller from mixing the raw grain with the malt. If the facility of mixing the two was so great, that even the Excise officer with all his dilligence, could not detect it, it was manifest that there was no provision against fraud. If there was a law to prevent the two ingredients being kept in the same building, there might be some check upon the distiller; but there was no such law. The hon. Member might talk about no fraud having been detected; but, as long as spirits could be made more cheaply from raw grain than from malt, fraud must take place, more especially when it happened that the most experienced person could no more distinguish the one whiskey from the other, than he could two sorts of spring water drawn from different springs. The hon. Member had stated, that 334 small distilleries had been established in Scotland in consequence of the drawback: he did not doubt it; for the fact was, that this system had been supplying capital out of the public purse to these very distillers, who were entitled to the drawback in ten days after the spirits were made, and who did not pay the malt duty for six weeks. It was said, that the Irish distillers were entitled to the drawback also, but he begged to tell the House, that the Irish distillers had dealt more fairly and honestly with the Government than the Scotch, for the Irish had openly told the Government that the present system afforded an opportunity of committing fraud, of which all distillers might avail themselves: and, indeed, so anxious were they to put down everything that should interfere with the legal trade, that they had entered into a contract amongst themselves to submit to a large pecuniary penalty, if ever detected in mixing raw grain with the malt. The fact was, that the Scotch distiller having no such scruple, was able to transport his whiskey into Ireland, and undersell the Irish distiller in his own market, which had naturally given rise to much dissatisfaction, and had caused strong representations to be made to the Government. The consequence had been, that a Committee was appointed, before which both sides were fully heard; and there was but one opinion among all impartial persons as to the necessity of altering the law. Under these circumstances, he felt that he could not do otherwise than support the present Bill. The only thing of which he complained was, that the change was not more extensive, but he hoped that this measure was the forerunner of the abolition of the system of drawback altogether.

Mr. *Gillon* observed, that, though he had already expressed his opinion on this subject, he could not avoid again endeavouring to avert the threatened injustice to Scotland. The evidence adduced before the Committee had shown to what an extent smuggling had prevailed in Scotland previous to 1821, and that it had now entirely ceased. In one county alone, where only 5,000 gallons had been previously brought to charge, now there were 100,000—and in the island of Isling, where there had been 300 convictions, there had last year been but three. At the former period, out of a population of 17,000, every one was, more or less, concerned in smuggling. That this change, so beneficial at once to the revenue and the morals of the people, was attributable as much to the drawback as to the reduction of spirit duty, a reference to the duties would fully illustrate. The worst consequences were to be apprehended for the agriculture of Scotland in the Highlands, by the uncertain demand of the smuggler being substituted instead of the steady market now afforded by the licensed distiller; and in the Lowlands, by the diminished consumption of barley, which had hitherto been the grain that had afforded to the farmer the most profitable return. A number of hands now employed in making malt, and cutting and drying turf, must be thrown idle—a consequence seriously to be deprecated in the present state of distress prevailing in every part of the country. He deprecated the proposed change as highly unjust to a most useful and respectable body of men, who had been induced to embark their capital in the process of malting and of malt distillation, on the faith of the permanence of the present law. Above all, he utterly denied the existence of fraud in Scotland, and which rested on no proof whatever, and was supported only by gross calumny and interested clamour. A reference to the Excise, the only impartial judge in this matter, had utterly disproved the allegation. Having now considered the Bill before the House, he declared that, did fraud exist, it in no way diminished the probability of its occurrence; that it was utterly inadequate to accomplish the end in view, and would have no effect but that of giving a bonus of sixpence for the manufacture of an impure spirit, while it would materially assist the over-grown distillers, at the expense of the small capitalist. If the principle of the drawback was a bad one, it was as bad with a drawback of eight pence as with one of fourteen pence. The only mode of preventing the possibility of fraud had been suggested by the malt distillers of Scotland, who were as much interested as any class of men in repressing smuggling, and who were anxious to refute those vile calumnies thrown out against them. The mode was to oblige raw grain distillers and brewers to store their malt, and receive it under permit for consumption, in the same manner as malt distillers now received it. If he was told this would create an expensive machinery, he asked what was the use of a machinery that did not meet the end in view? He could not imagine what the Excise had got to do: various taxes, such as the beer, and the leather tax, had been repealed, and their time must be but little occupied in consequence. He was convinced the revenue, instead of improving, would fall off—not, probably, for the first six months, or even a year, but such would ultimately be the case by the revival of illicit distillation. There was another species of smuggling well known and extensively carried on in Ireland—he meant smuggling from the worm mouth: this had been but little practised in Scotland, but the temptation to it would now be much increased; and there was no proper check against that species of fraud now proposed to be established. On all grounds, therefore, both generally as to any change from the necessarily injurious effects of that change on Scotland, and as applicable to the Bill under their consideration, he should oppose the measure in every stage.

Colonel *Lindsay* said, the Irish distillers having complained that great fraud had been committed under the existing system, Government had directed their allegations to be inquired into; but the investigation which the Commissioners of Excise had caused to be instituted proved that the statement was incorrect. Notwithstanding this, however, Ministers were, by this measure, about to place an additional duty of 6*d.* on malt, for the reduction of the drawback from 1*s.* 2*d.* to 8*d.* was tantamount to that—and the question was, whether the revenue would gain or lose by it. The revenue derived at present from this source, was four times greater than it was before the existing system commenced, and they ran the risk, by altering it, of losing that important benefit. This measure, he looked upon, as most dangerous, and he thought it required further consideration before it was adopted.

Mr. *Spring Rice* observed, that the system of drawbacks was never intended to be permament. It was adopted as an experiment for the purpose of putting down illicit distillation, and had frequently been dealt with before. Ministers had come to the conclusion, founded on the best information, that the measure now proposed would neither raise the price of spirits, nor encourage illicit distillation. It was said, that, in this instance, Ministers had yielded to the clamour of the Irish Members, and party considerations, but they had not adopted the measure in consequence of the clamour of any party. They were actuated by a desire to do justice, as well as they could, to all the interests concerned. It had been asserted, that no fraud had been committed under the present law. He thought that he could point out a case of very great fraud. That, however, did not weigh with him. It was, however, certain that the system afforded great liability to fraud, and, therefore, it was necessary to correct it.

Mr. *Goulburn* agreed with his right hon. friend that the question ought to be divested of all party considerations, and he agreed with the right hon. Gentleman that the drawback was not intended to be permanent. The drawback had been, as it was said, introduced for the purpose of putting down illicit distillation, and, although that object was achieved, he thought it should not be withdrawn hastily, or without due consideration. He feared much, indeed, that the withholding the drawback would renew those unfortunate scenes which were attendant on the practice of illicit distillation in Ireland, and he should, therefore, certainly vote for the hon. Member's Amendment, if he pressed it to a division.

Mr. *Robertson* observed, that the amount of duty on malt had increased to a great extent since the adoption of the drawback system, and he was afraid that the change would be disadvantageous to the revenue. In Argyleshire, the amount paid for duty on malt had been only 5,000*l.* a-year, and now it was upwards of 100,000*l.* In Elginshire, no duty had been paid formerly, and now it amounted to 80,000*l.* a-year, while the number of distilleries in Scotland had increased from thirty-seven to 225 last year, and they were at present, he believed, nearly double that number. The capital embarked in them would be most materially affected by the proposed alteration, while encouragement would be given to illicit distillation. There could be no regulation more dangerous than that which went to teach a whole population that it was their interest to defeat the law.

Mr. *Cumming Bruce* said, notwithstanding the assurance of the right hon. Gentleman, the Secretary to the Treasury, that this question was not taken up by the Government in deference to the wishes of the Irish Members, he was yet aware that it must, in a great degree, be considered as a question between the interests of Ireland and Scotland. He, therefore, regretted, that there was not a considerable number of English Members present, to arbitrate between the two. The right hon. Gentleman, the member for Harwich, wished that the question might be decided on the evidence given before the Committee: he heartily concurred in that wish. He was sure that the result would be favourable to Scotland, because every word of that evidence, if fairly considered, was at variance with the Resolutions proposed by the Committee. He felt it his duty to oppose those Resolutions to the utmost of his power, as fraught with injustice to Scotland generally, and to the Highland districts particularly. It would injure the revenue, and deteriorate the morals of the Highlanders. On the faith of the law, and the presumption that the present duties would continue, many persons of small capitals had been induced to embark their all in this trade, and they would now be exposed to entire ruin. The majority of the distillers in the north and centre of Scotland were of this description. Persons who made up by frugality and industry for the want of large returns, for the profits of the trade at present were as low as they could be not to be ruinous. The duties in 1823, with the view of inducing the legal distiller to compete with the smuggler, were reduced to 2*s.* per gallon. Such had been the uncertainty and constant state of fluctuation, as regarded the excise laws, previous to the judicious alterations then introduced, that even that comparatively low rate of duty failed at first to induce the small capitalists of the Highlands to embark in this trade; but as the Government took great pains to satisfy them that the law should be permanent, they did, in 1824, embark extensively in this trade, and the smuggler was forced to give way. Since then, the duties had been successively raised from 2*s.* to 3*s.* 4*d.*; and this constant disposition of the Exchequer to run them to the very verge of profit, had

had this effect—that all had been disgusted—some had been driven altogether to retire. The term "drawback" might mislead some Gentlemen who objected to the principle of bounties. In this case, however, there was no bounty whatever, but merely a lower rate of duty levied on spirits produced in a particular way, for the purpose of protecting the revenue on malt in general. If there was a bounty, it was a bounty to the revenue for malt, and not to the malt distiller. One argument used in favour of this measure was, that the actual system offered facilities for fraud. To that, he must reply, that, under a vigilant superintendence, no case of fraud had ever been detected or proved. It was surely monstrous injustice to punish the Highland distiller from malt on a mere allegation that facilities for fraud existed. But, then, the defective system was left in full operation; and while a class of persons were punished because the law was defective, the bad law was left to hold out the same facilities and an increased temptation to fraud, because persons would naturally seek to compensate themselves for the diminution of profit occasioned by the increased duties. The common-sense course would be, to alter the law, which could be done by abolishing the drawback altogether, and reducing the duties on malt spirits in proportion. This would be satisfactory to the northern distillers. But he objected to any reduction of the drawback, without such an arrangement, because it would be attended with serious loss to the revenue. The state of the Exchequer was certainly not such as to make it wise or prudent to try experiments of doubtful utility, without a strong probability that they might be successful. Suppose this diminution of the drawback should drive the legal distiller from malt out of the market, what was the state of this branch of revenue from Scotland, when the market was in the hands of the free-traders in the Highlands. His hon. friend, the member for Fife, had stated the result generally; he wished to allude to a few facts in more detail. It was in evidence, that, prior to 1823, the revenue paid from the county of Argyle was about 5,000*l.* per annum, it was now upwards of 100,000*l.* In the county of Elgin—with which he was more immediately connected, and from which two petitions against this measure were recently presented to the House—formerly it amounted to absolutely nothing; it was now, about 80,000*l.* It was in evidence, that there were only thirty-seven licensed distillers in Scotland in the year 1815; and thirty-six in 1817; 112 in 1818: but there were, in 1824, 171; and in 1828, 255; and, since that period, they had materially increased. There would be a double operation of loss to the revenue by driving out the small distillers, for their habits of life being formed that way, they would, in general, become smugglers, and compete with the legal distillers who remained. But that brought him to a consideration infinitely more important than the interests of the revenue—he alluded to the effect which would be produced on the morals of the Highlands, if the system of smuggling, so successfully put down, were again to be brought into activity. This was an important consideration. Previous to 1823, the whole hill country (he spoke this from his own knowledge) was overrun with smugglers. There was scarcely a family which was not in some way connected with them. The smaller tenants, were not, indeed, generally smugglers; but the operations of the still were carried on by the cotters, who, in case of detection, had nothing to lose, and they became the best, indeed almost the only purchasers of the inferior sort of barley and bigg grown among the hills. The tenant looked to them for the means of paying his rent, and the landlord was thus included in the chain of those interested to evade or to violate the law. He did not say, that all these persons became demoralized, but a whole population was taught to draw a distinction between the duties of legal, and the duties of moral, obligation—a distinction most prejudicial to the strength of the principle on which obedience was most surely founded. Accordingly, the disposition to violate the law, in the mind of the smuggler, was very soon not confined to the Excise laws. He could cite various instances to prove this, but the general knowledge of the illicit traders' habits must make the fact notorious to every hon. Member. If, therefore, the fair trader was driven out of the market, the farmer and landlord would have a common interest with the smuggler, because, in the remote districts of the Highlands they had no other vent for their barley and bigg than to sell it to the distiller. There was no law more impolitic than that which made it a common interest for all classes to evade it. Besides, their pecuniary interests, so far as the landlords were concerned, their feelings of humanity, and the consideration of kindliness and protection to the interests of their tenants, would be ranged against the law. In the days of smuggling he had been most anxious to stay the demoralization resulting from it, and, with that view, had entered a clause in all his leases, making it a forfeiture on the part of the tenant of his lease, if detected in illicit distillation. Other proprietors did the same, but motives of humanity frequently compelled them to desist when they found that ruin must ensue to the tenant; for, to enforce the forfeiture, they must have informed against them, and proved the fact, and the latter office was, besides, so odious, that no gentleman could undertake it, and the tenant generally escaped with impunity. He could assure the House, that he knew whole parishes whose rental had been doubled, and the condition of the occupiers much improved, under the existing law. He did, therefore, hope, on the grounds he had stated, that the amendment of his hon. friend would be carried.

Mr. *Callaghan* could not suffer the House to go to a division on the question without offering a few observations; for, however, convenient it might be to hon. Gentlemen near him that they should do so at that moment, when their friends were present, and those who supported the Bill, expecting a longer debate on it, were not in attendance, he did not think it for the interest of the country that the question should be thus disposed of. Having been an attentive Member of the Select Committee who inquired into the subject, he thought it right to state, that the recommendation to abolish the Drawback was given by them, if not unanimously, certainly with only one exception; and, however disappointed those persons were who imagined that the repeal of the whole duty would necessarily have resulted from it, and that now not half of it was to be abolished, yet as the Committee, recommended that in repealing it, care should be taken that illicit distillation in the Highlands should not be encouraged or revived, although he could not implicitly agree in the mode being the best which the Chancellor of the Exchequer had adopted for this end, namely the gradual taking off only 6*d*. Now he was not inclined to strongly challenge the correctness of that decision, and would look forward with confidence to its total repeal next year. The hon. Gentleman from Scotland, who spoke on this subject, seemed to feel that, because this Malt Drawback was necessary for the Highlands, that, therefore, it was good for the country. Now, he contended, that it was because it was not a good system for any other part of these countries that it ought to be abolished. It was not in operation in Ireland, and where it had been put there into operation, it was found to give such great facilities for the evasion of malt-duty, that it became evident to the fair trader, that it was not a system which should be continued. Hon. Gentlemen seemed to think that there was an unjust aspersion cast on the body of Scotch distillers by Irish Members; he thought it right to state that this was not the case; they did not charge the small Highland Distiller with any habitual evasion of duty, or improper receipt of drawback, but he was confident, and it was the opinion of many of the most respectable Scotch distillers, that the manufacturers in the Lowlands of Scotland did make improper use of the drawback.—Many circumstances were given in evidence before the Committee which made him of this opinion, and the notoriety of the case did not even require such evidence. Hon. Gentlemen asserted, that, because no very exact proof of it was given by the Excise, that, therefore, it could not be. Why, the Excise could not have offered proof of it, because, had they known it, or acknowledged it, they must have been guilty of connivance or negligence. Distillers who were examined by the Committee would not have acknowledged it and condemned themselves, therefore they were not questioned on the subject. But it was remarkable that, although the Committee had continued sitting for a fortnight after they might have decided, merely to give time for Scotch distillers to come forward to support, by their evidence, the statements set forth by them to Parliament, and the Treasury, they did not come forward. He was not presuming too much, therefore, in saying, that they shrunk from the investigation, and did not choose to be probed upon that point. The Irish interest had no objections whatever, to favour the Highlands, and would not object to any fair mode of giving them relief in their duties; but they did object to the Lowland distillers of Scotland having an undue advantage over them, and it was evident they must have had this to a great extent when they were taking the corn of Ireland to Scotland to be there distilled and brought back to Ireland in spirit, and sold at much less prices than the Irish distiller, with equal skill, could afford to sell them at. His hon. friend, the member for Argyleshire, was quite content with the system which gave this advantage to his own property, and abused the Irish for interfering with it; but he was quite indignant with them when they offered to leave the advantage with him, if he would only allow that so long as it continued, the Scotch should not send their spirits to Ireland. In fact, while it continued, a non-intercourse became just, though perhaps the House, or even he himself, would not approve of such a measure. His hon .friend the member for Argyleshire, who fought the battle of the Scotch in that House on the question, relied on some documents lately placed on the Table of the House, that allegations of fraud in Scotland could not be just. He argued with him in private thereon, and thought that, because the malt duty in Scotland was now greater in amount than when the drawback system commenced, that therefore, there could not have been any great fraudulent abstraction. Now, from these documents it appeared that in 1824, the whole malt duty of Scotland was 120,000*l.* per annum—and that, since then, the average was 160,000*l.* which was the net revenue last year; but he did not perceive that, in 1824, the revenue of 120,000*l.* was received from the malt used in making only 2,000,000 gallons of spirits, and now that the make there was by the same returns, shewn to be 7,000,000 gallons, this ought to have given a much larger increase than there appears. He challenged his hon. friend to deny any part of this statement, and if he could not, he was sure other hon. Members who had spoken, and not examined these returns, would admit that they were in error. He repeated that he did not object to Scotland being favoured, but he objected to any system of drawback. He would, if necessary, give them their malt without any duty; but he would not approve of a system of receiving duty with one hand, and paying it away with the other. The hon. Gentleman then proceeded to some detail, which showed that distillers in Scotland, with two distilleries, made malt at the raw grain distillery for the work in their malt distilleries, and made malt for the raw grain in their malt premises for the evident purpose of fraud. He also alleged, that the Excise Board were, in consequence of the Report of persons sent down lately to Scotland, convinced of the practicability of committing fraud there, and of its having been to an extent they had not believed, and that none but the most clumsy workmen could have been detected.

Mr. *Francis Baring* begged to refer those hon. Members who said, that the Resolutions agreed to by the Committee were not warranted by the evidence produced, to the testimony of the two superior revenue officers, who were sent to Scotland for the purpose of examining the state of the distilleries. They affirmed that every stage of the process was open to fraud, and they noticed a discovery they made in one distillery, which left no doubt that fraud had been committed. It had been admitted that the malt drawback was only tried as an experiment, and for four years it produced but very little effect, the presumption was, that it had not succeeded. It was the great reduction of duty afterwards that occasioned the stoppage of illicit distillation, which effect was not confined to Scotland, but also extended to Ireland.

Sir *George Murray* said, the House was told the present system must be amended, because there was something in it which created a suspicion of fraud, but it was only suspicion, and no particular case of fraud had been proved. The quantity of malt found in the distillery to which the hon. Member who spoke last alluded, which it was supposed had not paid duty, was so small, compared with the immense consumption in that distillery, that it was impossible to attach any great weight to the presumption of the revenue officers. The question before the House was not a mere dispute between Ireland and Scotland, but was one of much importance to the country generally. The great evil of the distillery laws up to 1823, was then continued fluctuation, this led to an inquiry by Parliamentary Commissioners, who, in their Report, laid down principles in which expectations of considerable improvement were founded. The plan of malt drawbacks was then adopted certainly as an experiment with a view, if successful, to continue it permanently. In considering whether it had been successful, they must reflect upon the evils which existed when the Commissioners made their Report. The Commissioners said, that the enforcement of the collection of the spirit duty was attended with the most injurious consequences to the people of Scotland and Ireland. They stated, that the evil was chiefly confined in Scotland to the more remote and mountainous districts, where the peasantry were rapidly approaching to the lawless and disorganized state which they exhibited in some parts of Ireland. That evil had been remedied by the system which it was now proposed to abandon. The Commissioners' Report was chiefly founded on the opinions of the landed proprietors of the country, and it would be well to pay some attention to their authority. The right hon. Gentleman who moved the Resolution should consider the distressing situation in which they would be placed by the alteration, for their duty as Magistrates would be wholly at variance with their interests and feelings as landed proprietors. The result to be anticipated was, that the people would do that illegally which they did at present according to law. It had been said, that the reduction of duty was the chief, if not the sole cause of putting down illicit distillation, and that the granting of a malt drawback had very little to do with it; but in reply to this it might be observed that, before the diminution of duty, the malt drawback had not fair play. But since that time it had had fair play, and all the beneficial effects which had been expected were realized. To bear him out in this statement, he begged to refer to the paper he held in his hand, by which he found that, previous to the year 1824, the convictions in Perthshire under the Excise Laws, varied from 200 to 400 a-year, but since that time, they had gradually decreased till 1830, when they amounted to only eighteen. So far as he had been able to examine the evidence in any point of view, it offered no solid foundation for this proposition. Indeed, the evidence of the Irish distillers proved too much, for it went to the extent that every distiller in Scotland committed frauds on the revenue, and that the Excise officers were negligent in the discharge of their duty; but, in Ireland the case was quite reversed, there the distillers were all honest, and the officers all vigilant. There was no doubt that frauds were occasionally committed in every branch of the distillery trade, but he denied that the mere suspicion of fraud justified such an alteration as that proposed. The evidence failed also in proving that the revenue would be increased by the alteration, for it would sustain the loss of all that now received in the Highlands on legally distilled spirits. Illegal distillation would be revived in full force, and the demoralization of the people which was a far more important consequence than the loss of revenue, would inevitably follow.

Mr. Alderman *Wood* did not know how the right hon. and gallant Officer could have arrived at such a conclusion. Had he consulted the returns which had been made, he would have found that the drawback which had been allowed amounted to more than the duty on the whole of the malt made or imported into Scotland. In his opinion, the whole of the malt drawback ought to be taken off. No smuggling would in his opinion be produced by adopting such a course, for the smuggling was produced by the high duty; but the consequence would be a saving to the country of 300,000*l.* annually.

Lord *George Bentinck* denied that the sum allowed for drawback amounted to more than the duty levied. He held a Report from the Excise in his hand, giving the returns from 1822 to 1830, and from them he found the total sum received as duty in that period was, 1,916,378*l.*, while the amount of drawback was 1,878,771*l.* showing a considerable balance in favour of the revenue. He was of opinion, as the drawback had given rise to many of the best consequences, it ought not now to be abolished, or even its amount diminished. To discontinue the drawback on malt amounted, in point of fact, to the infliction of a new tax upon Scotland, to the extent of five and a-half per cent upon the whole amount of its revenue.

Mr. Alderman *Wood* asserted that the evidence bore out his statement.

The House divided on the Amendment: Ayes 36; Noes 74—Majority 38.

The House in Committee.

The Clauses agreed to, with verbal Amendments; and the House resumed.

TITHES (IRELAND)—MINISTERIAL RESOLUTIONS.] On the Motion of Mr. Stanley the House went into Committee on the Tithe Resolutions (Ireland).

The Chairman read the original Resolution, and the Amendment proposed on a former night.

Mr. *Hume* said, that he regretted much being asked for his opinion upon a subject with regard to which he differed much from Ministers—he did not mean on the whole question, but upon this especial clause, which he considered more pregnant with danger than any course which could be pursued. It would be much better for the Government to have chosen any other plan than that of mixing up his Majesty with the temporalities of the Irish Church. There was no one who had not witnessed the evils of that system which had been the source of perpetual heartburning in Ireland. It was, moreover, extraordinary, that, while theGovernment held out the boon of tithe-extinction with one hand, they should take the second course to mar the benefit likely to flow from that, and wish to make his Majesty or his Attorney General merely the tithe-proctor-general for the clergy of Ireland. He was sure that the arrears due would be paid with pleasure by the people, provided they were assured of the promised extinction of tithe, which would be as great a blessing to England as to Ireland. Let, then, the Bill for the purpose of abolishing the present system be brought in, and, when it was, he was sure that there was no Member in the House who would not agree to the insertion of a clause for the enforcement of these arrears, if the people did not, within a certain time after the passing of the Bill pay them of their own accord. But, to use coercive measures before conciliation was tried, was only adding insult to injury and perpetuating the enormous expense of keeping up a large force to uphold a most obnoxious system. The Secretary at War had stated, a few nights before, that the condition of Ireland was the chief cause why such a large army was kept up, so that the injustice we practised towards Ireland put us to the expense of keeping up at least 12,000 men. He would assent to any grant that would establish peace; he agreed cordially, therefore, to the first four Resolutions, but he could not consent to the fifth, because that would only perpetuate the mischief. The law was already too coercive, and he could not consent to make it more hateful than ever to the people. The Amendment that had been proposed appeared to him to unite all that the Government desired with all that tended to conciliation, and he would, therefore, give it his support.

Dr. *Lushington* begged leave to express his sentiments upon this most momentous question. In coming to the conclusion which he had done on this subject he could not conceal from himself that, unless the combination that at present existed in Ireland were put down—that unless temperance, and, at the same time, firmness, were exhibited—and, above all, unless the landlords, and especially the Catholic landlords, exerted themselves, Ireland would be once more deluged with blood. If, however, on the other hand, conspiracy were allowed to rear its head —he said conspiracy for he was astonished to hear hon. members for Ireland characterise the opposition to tithes as merely passive resistance—if conspiracy were allowed to rear its head, and the persons engaged in it were allowed to obtain their objects by force, then would the whole frame of society become disjointed, and life and property be left to the mercy of lawless depredators. In coming to a decision with respect to the vote he should give, he was left but a choice of difficulties, both of a very alarming nature—this choice was between civil commotion on one side, and warfare on the other. He was led to think on this subject deeply, and having come to a conclusion, he was ready to abide by the consequences, be they what they may. He was confident that, if the lawless proceedings in opposition to the collection of tithes in Ireland were allowed to be successful in the attainment of the object of the law-breakers, there would be an end of law altogether in that country. The present state of things in Ireland was fresh evidence of the impolicy of allowing an evil of long standing to remain unredressed. Nevertheless, he was of opinion that tithe must be collected in Ireland. In coming to the conclusion he had done, he was not influenced by any pecuniary consideration. It was not with him a question of money—he could vote ten times as much, if peace and order could be established by such a vote; but this was not a question of money, it was a question of principle—a question whether the principles of Government should be exposed to subversion or not. He approved cordially and from his heart of the extinction of tithes. He new of nothing that the wit of man could have devised more objectionable than the existing system of tithe and tithe collection. It was a system of endless litigation, in which more money was spent than would be sufficient for the maintenance of a large establishment. Bad as it was in this country, it was infinitely worse in Ireland, both as regarded the machinery of collection, and the principle of taxing a great majority of the population for the support of a Church to which they were opposed. He could, perhaps, point out a sufficient substitute, but the present was not the moment for delivering his opinions upon this subject. As to the question of an impartial division of Church property, he had looked at the question professionally, and he could take upon himself to say, that, in England, at least, no such division had ever taken place. Looking, then, to the whole ecclesiastical history of the country—even when the Catholic Church was dominant, it was, he thought, quite impossible that, if such a division ever existed, he should not have found some trace of it in the ancient documents to which he had access. The Protestant establishment in Ireland, he thought, ought to be adequately endowed, and secured by a sufficient stipend. The rights of existing incumbents ought to be respected; but he could imagine no valid argument against the right and propriety of Parliament dealing with the residue of the Church revenues — but not for any purposes but for those of the Church. The wishes of the people ought to be considered, after providing for the adequate teaching of the Gospel among the people. He might be considered rash in giving utterance to these sentiments, but he was straitforward in the discharge of his public duties. He must say, that he was surprised at the course which the Catholic Members of the House had thought proper to take upon this question. He could hardly exaggerate the degree of sorrow and disappointment he felt at finding Catholic Members in that house treating with scorn the boon which Government so lately conferred on them. It appeared to him, notwithstanding, that, after all the complaints which the House had heard of the grievances under which the peasantry of Ireland laboured with respect to this impost; that, after all the complaints they had heard of the severity which was exercised in its collection, that Catholic Members should now keep the grievance and the severity out of the question, and state, that it was not the amount of which they complained, but that they objected to the payment on account of the amount being received by the ministers of a Church different from their own. He still hoped they would have the co-operation of the Catholic body in a case in which their interests were so much involved. He should like to know whether Catholic landlords had gone amongst their tenants, and told them that, what those tenants now paid in the shape of tithes, hereafter they would have to pay in the shape of rent. If they had not, they had concealed the truth—unless, indeed, they meant to say, that the extinction of tithe, as at present existing, was to be an exoneration altogether; and this, he apprehended, was not what was really meant. He did hope that the Catholic body would co-operate with his Majesty's Government in their determination to bring about the extinction of tithes in Ireland. It was one in which the interests of a religion, common in a majority of its tenets to both parties, were vitally concerned.

Mr. *Wyse* said, that, with all the provocation from numerous misconceptions and mis-statements during the progress of this debate, he should still have given the precedence to many other hon. Gentlemen, were it not for the pointed, he might almost say, personal, allusions to Irish, but especially Catholic, Members, with which the learned Judge's speech had concluded. He had all due deference for the learned Judge's antiquarian research, and recognised acquaintance with the canon law of England, but of living men—the living men of Ireland—of their past and passing history, their passions, intelligence, and interests, he must say, the hon. and learned Member positively knew nothing. What! were Irish Members to be taunted with perverse hostility to England, because they told Englishmen, in intelligible terms, that, for her advantage, as well as for the advantage of Ireland, the government of generosity and conciliation was preferable to the government of force and rigour? Were Catholic Members to be more than suspected of a violation of their oaths, because they told the Church—a Church professing itself Christian—that it could not stand on the foundations of Mammon? Were Members who, through long nights and tedious days, had assisted, with a zeal somewhat more disinterested than that of English Members, Ministers through all their three Bills of Reform—were such men now to be told, and by an organ of Ministers themselves, that they had studiously sought to embarrass the Government, and stood in the way of the wisest measures and purest intentions of redress?

If the hon. and learned Gentlemen felt surprised, Irish Members had a right to feel indignant—they would not bear in patience that a discharge of public duty should be considered a crime, or a plain statement of the feelings of their constituents an injury and not a service. An enlightened Government would seek for such information, even if not proffered, and when found, would thank those who gave it, instead of reproving them for the gift. Now, he would put it to that learned Judge himself, was not that precisely the case at present? Giving full credit to Ministers for their intentions, we say, those intentions cannot be realized by the means which they pursue. We point out what we consider a shorter and surer road to the same end—we ground our opinions of its strictness and security on what we know of the country—we produce facts—we challenge answers to them—no answers are produced, and we cling to our opinions still, instead of adopting the opinions of Ministers. This is the extent of our ignorant impatience, of our perverse hostility, and no more. Now, to what stage of this proceeding have we actually reached? A large majority of the House has pronounced that a grant of public money ought to be made to the distressed clergy of Ireland. We are now called on to adopt a mode for the re-payment of this grant, by enabling the clergy to recover their arrears. On a former night he (Mr. Wyse) had opposed that grant, not, indeed, on principle—not on the ground that the salaried officer of the State—for such he considered the clergyman—should not be guaranteed in the enjoyment of his salary by the State, as long as such salary continued—but because he did not think that a good case had been made out even from the *ex parte* evidence now before them. If Mr Butler and Mr. Hamilton were at one side, Mr. Langrishe and others were on the opposite. But this being now out of the question—the House having decided—we were now called on to devise measures for the repayment. Now, there were three modes proposed; first, martial law—second, the more gentle coercion of his Majesty's Government—and, thirdly, the measure of his hon. friend, the Member for Wexford. He surely had a right to choose between these three. Military intervention, it was true, had been advised—(he quoted simply without comment, for comment it needed none, the evidence of the rev. gentleman himself—Nos. 723 and 726)—military intervention had been advised by the rev. Mr Hamilton, this advice had been re-echoed from the other side of this House, but the time, thank God, had gone by for these desperate experiments. The "*ense recidendum*" system had crumbled, he trusted, with the crumbling Irish oligarchy—"*Ense recidendum!*" as if, indeed, the history of the country had not evinced, page after page, the miserable blunder, as well as deep crime, of this atrocious anti-national policy. How else had Ireland been governed for centuries? What other sceptre had she than the rod and the sword? and what were the results? Of this evil tree what where the bitter fruits? To this very hour they were gathering them, and many a-year would pass before they would cease to do so—"*Ense recidendum*"—The country, he could tell the right hon. Gentleman, would not bear it—the sword would be answered by the sword—the weapon would shiver in his hand. But the project of his Majesty's Ministers was of a milder character. He had that reliance at least, upon them, that he knew they would spurn all the stale and cruel expedients of their predecessors. But was it yet the best mode which could be tried? He did not intend to go into any passionate invective on the matter—he merely put it to their common sense, was it indeed the best mode to attain the objects they had in view? They had two objects in view—the first, the collection of the arrears: and, second—in his mind by far the most important—the vindication of the law. Now, how did they propose to go to work? He was far from denying that some desirable objects would not be attained by the change. The clergyman would be greatly benefitted—the people, in some particulars, would not lose—all collision of a personal nature would be at an end—the disgraceful immorality of tithe proctorship, debasing the character of the clergyman, corrupting the character of the people, would be got rid of—a compendious system of notice, collecting, it might be said, the parish, into one man, or, as Caligula wished into one nich, might be established; but the chief difficulties in all those cases were studiously and carefully avoided. The whole matter nearly remained where it was. The real obstacle was in the very last stage of the proceeding. The pith of the embarrassment was in the enforcement of the decree. The claim is allowed, but how liquidate the claim?—There was the rub. Take the two cases—either the country continued in a state of discontent, and, therefore, in a state of combination—for, in Ireland, the Catholic question had made them correlative terms—or a remedial or satisfactory measure had been passed; and the country, nailing it as it ought, had returned to peace. In this last case, even the existing law with all its enormous defects, would be, as it had been, sufficient—the evidence of Mr. Langrishe proves it—to collect the arrears—content would have scattered the combination. The oil of wise and just legislation, falling on these waters of contention, would at once have appeased them. You would no longer have to act against a nation in array, but against individuals. The elective chain of sympathy would have been snapped asunder—the resistance would not be protected by the broad shield of public opinion—the arrears would fall in of themselves. But would this be the result in the other instance? If the measure—he would not call it coercive—but if this vigorous interposition measure were enforced, and the remedial measure were to lag and limp behind—if the country were to continue, as undoubtedly it would continue, discontented, in such a case, he should like to ask, what difference would there be, then, between such a state of things and the present, and what greater chances would then exist of success than what his Majesty's Ministers could indulge at present? The decree is to be enforced: there were only two means of enforcing it—by sale of property, or imprisonment of person. Now, we had been told repeatedly that the first of these means was totally ineffectual: the cattle was brought to sale, but it was not enough to have sellers—you must have buyers; none would buy. This, no doubt, was a grievous case, but how was it to be met? Mr. Greene, in his evidence would tell them, "there is no mode of which I am aware by which you can compel persons to buy goods; not only there is no law, but no law can be devised. Laws of such nature were indeed attempted in the feudal ages, as in France and England in the fourteenth and fifteenth centuries, but of course they utterly failed. But can they be sold elsewhere? No; the brand of tithe everywhere accompanies them, and they carry disaffection and resistance, much more effectually than any placard every where they go. Besides, who are to form their escort? how many? when? where?—all important considerations in any country—of the utmost importance in Ireland. Imagine your regiments and your constabulary thus employed—compared to which even still-hunting was honourable. But the cow can be killed, and the meat sold; the tithe-brand cannot be fixed on meat—true: but where are you to get the butchers. The Attornies have retreated, and the case must have been desperate—absolutely forlorn—when they retreated. Depend upon it the butchers will not be more valiant. The only alternative is, to have lodged in every town corps of Government butchers for the occasion—but they again will require their guard and police. Either this or a well-disciplined body of purchasers—disciplined at the public expense—though it will be a matter of no small difficulty how to manage between their real biddings and the fictitious biddings of their adversaries. This mode, then, whether the clergyman adopts it, or the Government adopts it, will be equally ineffective. The army of the empire, headed by the Attorney General, has not one jot more facility in enforcing it than the simplest individual. But we now come to the second—imprisonment of the person. Such power, to a certain degree, exists at present; Government will have it in their power to exercise it more peremptorily—perhaps so; but how will it work? No theories on this subject, but facts, will or ought to be received as an answer. Now what are these facts? English gentlemen are totally ignorant of them; it is natural they should, but this is no reason why we should not tell English gentlemen what they do not seem to know. Imprisonment, when public opinion is on one side and the law on the other, is no great penalty in any country. But there are other circumstances still further to lighten it in Ireland. In Ireland, such is the misery of many parts of the country—such is the wretchedness of the hovel on one side—such is the disproportionate expenditure of Grand Juries, such is the sumptuousness of gaols on the other, that imprisonment in Ireland turns out, not a penalty, but a reward.—Yes, they are not prisons for the guilty, but houses of refuge for the destitute. The man who, for days together, cannot earn ten pence, whose clothes are rags, and

and home a shed, will not feel the grievance of being allowed five pence per day, wholesome clothing, and a palace over his head. But is this all? The Government is looking for arrears be it remembered; they send in their prisoners in poverty—do they come out rich? The rich become poor. If poor, they would be entitled to their discharge, says Mr. Greene, as insolvents, if unable to pay. The rich escape because they may leave the country; the poor are imprisoned, and regard it as slight punishment, or none at all. What a state of society, exclaim hon. Members, and why excite the country? By what? By letting the country know it. A dreadful state, no doubt, it is, but you cannot alter that state until you raise the country to comforts, of which you can threaten in case of crime to deprive them—until their poverty ceases to depress them below the very penalty for crime. But the charge of exciting the country by these facts is preposterous. Not from the casual deliberations of this House do they discover it, but from the constant accompanying suffering, the night and day experience of wrong. What then does Government gain, for the question of re-payment is what is still under consideration?—very little chance of reimbursement from such debtors—certainty of enormous expense, both in the civil and military departments. A regiment of infantry costs 20,000*l.*; of cavalry, 45,000*l.* per annum. 75,000*l.* was the expense of criminal prosecutions in 1830—these data will furnish some, though not sufficient data of the disbursements to which this country must submit to collect arrears to the amount of 60,000*l.* But hon. Gentlemen, on both sides of the House have disclaimed this narrow financial view of the subject. They do right. It is not a matter of thousands, or ten thousands, but a matter on which hangs the tranquillity and happiness of two nations. I say two, for if Ireland is the object to-day, England will be the object to-morrow—both countries are tithed, both countries complain, both countries are Reformers. The end, the great end, of this project, is the vindication of the law—a noble and just object, worthy of the solicitude of all governments, and demanding the exertion, as it embraces the interests of all classes of society. But how is the law to be really vindicated? This, like other cants, have been frequent in this House—again and again, on all emergencies like the present, this House and the other have resounded with the cry of vindicate the laws. Have they yet, even vindicated them against the stronger force of a combined country? The moment public opinion comes to that head, it becomes next to impossible—a new state of things arises, the law is virtually abrogated, though nominally existing, and Parliament comes in—the sooner the better—to ratify the decision of the public. The most wise course is, not to allow the public to see this—to watch the signs of the times, and to lead, not follow—when, if they do not lead, follow they must. Irish history is pregnant with instances—what more so than the history of the Catholic question? You put down the Catholic Association, and as you thought, you vindicated the law. The Catholic Association sprung up again, in tenfold strength, under your very statute. Did you then vindicate the law? No—you left it unvindicated year after year, until you at last discovered that the only mode to do it effectually was to put the interests of the people on the side of its vindication. You let redress come first, and vindication afterwards. Emancipation passed, and the Association scattered almost before your statute touched it, with all its clubs and combinations and conspiracies afterwards. Was this only the case in Ireland? Is it only an Irish mode of compelling attention and redress? It is the history of mankind—it is human nature—it is the nature of Englishmen as well as Irishmen—of the history of that country as well as this. In 1351, in the reign of Edward 3rd, the villains and serfs refused to cut the hay of their landlords—there was a passive resistance or combination like the present. The statute of labourers was brought in in 1360 to remedy it—coercive measure followed coercive measure—all failed. In 1376 the Commons complained that masters were obliged to give their servants higher wages to prevent them running away—new statutes were introduced, all flyers were, if caught, branded with the letter F—artisans were put in the stocks if they refused to work—"rigorous interpositions" of all kinds were used; and, after all, what was the result? The country was covered with "valiant rogues and sturdy beggars," "staff stickers" in every direction. In the reign of Henry 8th, 72,000 men were hanged in England, and still the same complaints from the Commons, the same cry of vindicating the laws, and the same impossibility of making their statutes and decrees realities. Elizabeth at last saw the real source of the evil—the 5th of her reign acknowledges "that the old laws could not be carried into execution without the great grief and burthen of labourers"—the interests of the labourers were then consulted, as well as the interests of their masters—both gained, society was re-adjusted, the law was really vindicated, for it had a happy population for its assertor, and a new era of peace and prosperity commenced for England. Why not treat Ireland as England was treated? Why not imitate Elizabeth in good as well as bad? Ireland of to-day is not so low as England of her reign. Why should we not hope from a similar policy—a consequence tenfold more rapid and quite as beneficial—vindicate the law—if the law can be vindicated—but it appears to me that it has been already shown that the thunders of your statute will be ineffectual—the *fulmen* will be imbecile and *sine ictu* on the mind of the people. Without a consequence?—No: but the consequence will be the very reverse of what you contemplate. These very ineffectual struggles between the people and the Government have given the people even exaggerated notions of their power. The Government and the instruments of the Government from such contests will carry off even something worse than defeat. Sir John Harvey, Major Brown, Dr. Fitzgerald, have already deprecated in the strongest terms the employment of the constabulary. It has sown fertile seeds of jealousy between the men themselves. Catholic suspects Protestant, and Protestant suspects Catholic—both become obnoxious and hostile to the people. Will the army fare better?—and is it right to place the army in the same case? Above all, is it right to place the ermine—the calm and solemn majesty of the laws—in a similar situation? Men imprisoned for what they did not consider crime would not go in as malefactors, but as martyrs—and triumphant martyrs they would come out. Contributions would repay their pecuniary, public applause their personal loss. The penalty would be encountered—would be incited for the reward. Nor would this be the only result. They would be firebrands flung among the people. New seeds of agitation—new encouragement to resistance would be generated in prison—on their liberation they would bear them abroad, with every new circumstance of malignity, amongst their neighbours. Government perhaps may think they could put this down—but on what can it act? There are no open outrages no force to authorise force—no law is violated—the penalty is submitted to, and that is all. The hour of outrage is gone by—it is usually the first gust of smoke which foretels the coming on of a strong and sullen flame. What is the feeling of the people now? Look to the Resolutions of the people of Tipperary just passed, and which are circulating rapidly: it is stated from parish to parish, there is no menace of outrage there. They state, "that as it is only by obeying the law they can become too strong for that law of iniquity—they merely pledge themselves to all legal and peaceable opposition, by petitioning, and every other constitutional means which their ingenuity can devise, to oppose the continuance of the system of tithes in Ireland—their long oppressed and persecuted country." They further call upon their countrymen throughout Ireland to follow their example, and denounce as bad Irishmen any and all who attempt resistance by violence, for such resistance by violence, can only tend to perpetuate the curse of the country, and inflict a stain upon the character of the Christian religion. Such is the course proposed in this county, where tithes have been as much opposed as in any county of Ireland—and such will be the course, should tithes continue, that will be adopted ere long through the entire country. The Government may flatter themselves that the remedy may be allowed to follow—but, besides the anomaly of two laws, one for the accruing tithe, the old law—another for the outstanding arrear, the new law—clashing with each other, they will not have an opposition in front to act on. The law will not be resisted, but will not be obeyed. Do we do wrong in stating these things? No—but we should do wrong in not stating them as we do.—The hon. Member for Wexford has been attacked as an abettor of conspiracy and insubordination. He said nothing as to approval or disapproval—he stated only the naked fact. Those facts will not disappear whether we are silent or not. That they should exist is, to Irish Members, at least, no matter of surprise. Not from hostility to good Government, not from contempt for social institutions, but from the thirst and hunger after both do they arise. The Irish people regard as well as the people of this country the charter of freedom, the sacredness of laws, the impartiality and justice of their execution, the equal regard for individual and public interests, which distinguish England, as high and noble blessings—blessings which ought to be their inheritance as well as that of Englishmen. But if they do attempt to attain them, and, in their ardour, occasionally advance beyond the strict punctilio of Englishmen, they are taunted with their folly—they are menaced with a lesson—the offended majesty of England is called on to put out her strength at the presumption, and to rebuke them for thus rousing, by their crimes, her powerful thunder from its repose.

> "Cœlum ipsum, petimus, stultitia,
> Neque per nostrum patimur scelus
> Iracunda Jovem ponere fulmina."

It was impossible, then, that he (Mr. Wyse continued) could vote for the proposition of Government. But there still remained the third measure, the proposition of his hon. friend To this he found, comparatively speaking, no difficulty in adhering. But he would be more precise. He could see no difficulty, since it was determined to pay the clergy, to follow the precedent of 1798, and take the bonds of the clergy for such loan for the present; and to make such arrangements in the Bill for the settlement of the question of tithes, as to enable the clergy to recover from those who were indebted to them such amount of arrears as would, at least, cover the amount advanced. If resistance were then made, even under a defective law, they might be recovered with ease. But there was not the slightest doubt they would at once, and cheerfully too, be paid in. The remedial measure would effect all. No possible objection could exist but a little delay to the Treasury, and the apprehension of only a half vindication of the law. But Government would ensure a certainty of repayment, and a certainty of obedience, both advantages which might well be balanced against every other loss. For such reason he should strongly support the proposition of his hon. friend, and should vote with him, in case he should divide. But he could not sit down without saying a word or two on some of the animadversions which had proceeded from the other side of the House, re-echoed, he was sorry to say, by some hon. Members near him, on the conduct of the Catholic Members in these discussions. Their oath had been spoken of, not in terms, he was bound to say, the most courteous. All personal feeling, however, must disappear in the consideration of the great principle attempted to be established. No doubt it would be a convenient thing to shut the mouths of Catholic Members on such questions; but they were as little to be duped as put down. The case was a very plain one—they swore that they had no intention of subverting the Protestant establishment in the former oaths, "for the purpose of putting another in its place" had existed; but this, on what grounds he could not say, had in the present oath been omitted. But he would take it in this naked and unqualified sense. What did it mean—what was the meaning of the word "subvert?" The right hon. Gentleman opposite, the ex-Attorney General, who loved the good for the abuse, not suffered the abuse for the good—who admired the fungus on the oak, rather than the oak itself—who would give up the Constitution, provided he could keep the boroughs—he, no doubt, confounding wealth with Christianity, would call subversion any attempt to reduce the establishment to the dimensions of the Church, and the Church to the pattern of Scriptural Christianity. He had attacked, on a former night, the Church of Scotland for its poverty—he ought to have gone higher—and attacked the Apostles. Certainly the Scotch Church had no Bishops, but it had flocks—it was not every day dwindling into other congregations—it ran no danger of becoming some morning a staff of officers without soldiers—or a corporation of shepherds without a single fold. The fact was, poverty and exercise were the secret of the strength of bodies, as well as individuals. The health of a Church, its numbers, its zeal, depended upon its having enough to do, and not too much for doing it. "You may persecute a Church (concluded the hon. Member) up or pamper it down to any number of followers you choose. To bring it to a wholesome state—to bring it soon and to bring it perfectly—was this subverting? No; but placing it on a far surer basis than where it stood. But hon. Gentlemen may affect to suspect the opinions of the Catholics; let them read the testimony of their own Church. Be it remembered that the reverend Messrs. Butler, Hamilton, Roberts, Langrishe, have all given nearly the same opinion. The Archbishop of Armagh has joined in this Report in another place—and with him, it is to be presumed, many, at least, of the Irish Church. If you wish for the testimony of Judges, read the pamphlet of a Baron of the Court of Exchequer, just deceased, the late Sir George Wood. Hearing the litigations between parsons and their parishioners, he says justly—"a rooted enmity takes place between the parson and his parishioners, which lasts for life, the consequence of which is, they desert the parish Church, and go to all sorts of meeting-houses—hence arises the great danger and decay of the established religion of the country. How can either the parson or his parishioners, when their minds are harassed by expensive and long protracted litigation, attend to their religious duties as they ought—one or other is frequently ruined. A rich rector ruins his parishioners, and a poor vicar is himself ruined." If you wish for philosophers, listen to Dr. Chalmers, in his late work on Political Economy, he says, "the reformation of the present system would be an incalculable blessing to the Church of England, and that not merely because it would disarm the hostility of Statesmen and economists, but because it would do away the topics of a thousand other heartburnings in every parish of the kingdom." If these men go to subvert the Church Establishment, so do the Catholic Members—if not, the Catholic Members should not be censured for what you cannot but praise the Protestant. But it is time to close. If these be the evils of England—Ireland, be it remembered, groans under all these evils, accumulated tenfold. Ireland pays not one tithe, but two tithes—not one Church, but two—Ireland is a poor country—England is rich. England cries out for remedies—why should not Ireland cry out, and be heard also? But no remedy will be truly a remedy but the one you have tried so little—but have never tried without perfect success. "That engine," to use the words of the greatest of our orators, "which the pride of the bigot, nor the spite of the zealot, nor the ambition of the high priest, nor the arsenal of the conqueror, nor the Inquisition, with its jaded lash, and pale criminal, ever thought of; the engine which, armed with physical and moral blessings—comes forth, and overlays mankind by services, the engine of redress."

Mr. *Shaw:* I must, Sir, express my entire dissent from the view of the hon. Member who has just sat down, with respect to the Amendment moved by the hon. member for Wexford. The Committee have already affirmed, by a large majority, the statement of the former Resolutions—that an organised and systematic opposition has been made to the payment of tithes in Ireland, by which the law has been rendered unavailing, and the clergymen of the Established Church reduced to great pecuniary distress—and I cannot conceive how any person possessed of ordinary feeling can refuse to afford relief to that distress—or how any person who respects good order, or values good government, can deny the necessity of taking measures "for the more effectual vindication of the authority of the law." It certainly does surprise me, that hon. Gentlemen opposite can be so blinded by party or religious prejudices as to deny that the clergy are distressed, testified as that is by almost every word of the evidence, and every line of the Report before us; nor can I at all reconcile it with good taste in the hon. Member (Mr. Wyse) to bring the charges he has against the rev. Dr. Hamilton—as exemplary and pious a minister of religion as ever existed—of not having been on good terms with his parishioners; when that gentleman has stated in his evidence that he resided for thirty-one years among them, without having had one difference with them, and that especially the utmost harmony and good-will subsisted between him and his Roman Catholic neighbours. Again, as to the Church which has been recently built in his parish, the hon. Gentleman (Mr. Wyse) accused him of building it unnecessarily, whereas his evidence was, that the roof of the old one had fallen in, and that the architects had pronounced that it would be throwing money away to repair it. In reference to that "passive resistance" to the laws advocated by the hon. Member, the mischievous fallacy of the argument has been so ably shown by the hon. and learned Gentleman (Dr. Lushington) this night, and the learned member for St. Mawes (Sir E. Sugden) the last night of this debate, that it is unnecessary for me to dwell upon it—but the reasoning of the hon. Member (Mr. Wyse) appears to me the strongest that could be adduced in favour of the present measure. It is, that the spirit of the law may be evaded, while the letter of it is not broken—and even admitting that in a prosecution for a legal offence such a technicality might be relied on, it could never be pleaded at the bar of moral feeling, and above all, is most inappropriately applied to resist a new enactment—when the very argument implies an admission of a wrong without a remedy—and is the best justification of a Government in asking for new powers. Upon those grounds I shall certainly support the fourth Resolution. But to the next and last, announcing the complete extinction of tithe, I cannot give my assent. While I object to the wording and vagueness of this Resolution, my principal objection to it is, the connexion in which it stands to the others. The leading feature of both the Report and the Resolutions is, that the law has been violated and ought to be vindicated; and yet this last proposition being joined with the preceding, holds out as it were a bribe to those who have combined against the law, while it professes to assert the law's authority. This seems to me plain from a minute consideration of the Report. It states that the Committee are "deeply impressed with the danger which must threaten the whole frame of society, if a combination against a legal impost be permitted ultimately to triumph over the provisions of the law." What, then, was the object of those who opposed the laws?—not to withhold the present arrears; on the contrary, they admitted they would not interfere with the rights of the present incumbents. But what they clamour for is an extinction of tithes, and that we now, in terms at least, concede to them. This is the wording of the Report—holding out the temptation of success in one case to a similar opposition to the payment of other pecuniary demands. If a tenant owed his landlord 100*l.* for rent, and said he would not pay him unless the landlord undertook to extinguish all rent for the remainder of his lease—would it be consistent with common sense?—was that landlord to boast of vindicating his authority, and asserting his right, by obliging the tenant to pay his rent, if, at the same time, he yielded to the demand of extinguishing all rent for the future? With reference to the word extinction, the right hon. Secretary for Ireland must allow me to say, that with every respect for his superior station in the House, I consider the word was very ill selected and very incautiously employed—calculated as it is to excite fears on one side, and hopes on the other, that it never was intended to realize. The right hon. Gentleman has observed that in this Resolution there were other words joined to that expression which gave it interpretation, but I would remind him that he first made use of it in this House, in what, if I may be allowed the expression, I would call a postcript to a speech of his on the subject. It procured him very clamorous cheers at the moment from a certain portion of the House. Indeed I should not have thought that the simultaneous cheer of only twenty-seven, even Irish voices, could have been so loud—but these cheering Gentlemen had since shown woful disappointment. I can strongly illustrate, too, the mischievous consequences produced in Ireland by the announcement, by an instance which occurred within my own knowledge in the parish close to where I reside in the county of Dublin. The Sunday after the report of the speech of the right hon. Gentleman reached Ireland, it was posted on the chapel door, and a notice written under it that no tithes were to be paid for the future. The owner of the tithe was a lay impropriator, a relation of my own, and he was also served with notice that he should receive no more tithe. After satisfying himself that such was the determination of the people, he proceeded to distrain—the distress was rescued, and he and his party with difficulty escaped personal injury. He immediately applied to the Government, and I am bound to state, that they rendered him the most prompt and the most effectual assistance, the consequence of which was, that although the people represented to the Magistrate who accompanied the military force that was sent to arrest those who had committed the rescue, that it was hard they should have to pay tithes while others were allowed to refuse with impunity—yet they submitted at once, and in the course of a week the whole tithe was in a train of settlement, and I cannot but think, that if the Government had acted upon all occasions with equal vigour and firmness, Ireland would not have been in the unhappy state of insubordination and outrage which it is placed in at the present moment. I also object to the last Resolution, that the Government have not stated with any certainty or precision what provision they are to make for the Irish

Church Establishment, and it is possible that the clergy having been reduced to the last extremity of distress—being, as it were, weary and faint after a fruitless pursuit of their rights—the Government may offer them that which may be considered but as a mess of pottage for their inheritance. While upon this point, I would for a moment refer to the question of the quadrupartite division of Church property which has been so much relied upon by Gentlemen opposite, for the purpose of showing, that though it may have taken place with regard to the whole revenues of the Church at a very early period in Ireland, yet that it never was applicable to that portion of the Church property which has been transmitted to, and is now in the possession of the clergy. In 1609, Archbishop Usher, in his tract on the origin and first institution of Corbes-Erenachs and Termon Lands, states, 'that at the 'first beginning, I conceive the same order 'to have been here (Ireland) which com'monly was used in other parts of 'Christendom, that the tithes and profits 'of temporal land appertaining unto every 'Church were taken by a common re'ceiver, and distributed in four equal 'portions: one was allotted to the Bishop, 'another to his clergy, the third upon the 'reparation of the fabric, and a fourth 'towards the relief of the poor.' Then, referring to the Erenachs, whose office it appears was to take care of the Church —its property, and the indigent poor, he continues 'when the receiving of the 'Church goods, and the sharing of them 'into their several portions, began to be 'abused, he who was the Deonomus, '(that is the Erenach) carving as it is like 'very favourable to himself, or upon some 'other respect, was disused—and every 'one was willing to be the steward of his 'own portion. The Presbytori, (that is, 'the parson and vicar), and the Erenach, 'may be thought to have grown to this 'composition. The Erenach charged him'self with the reparation of two-thirds of the 'fabric. The parson and vicar undertook 'the charge of the other one-third, there 'being to divide between them the three'fourths of the Church goods (which re'mained above the Bishop's allowance.) 'For mere quiet and ease the Presbytori 'took wholly unto themselves the three'quarters of the tithes, two whereof fell into 'the parson's lot, and one to the vicar's, 'without challenging any benefit in the 'temporal profits, except some small quan'tity of glebe land to dwell on. The Erenach, 'for keeping hospitality and entertainment 'of strangers, (besides the common care 'of reparations), had assigned unto him 'the commodity of the three-quarters of 'the temporal lands which he raised out 'of such rents, letting, and services, as 'were to be executed of the Coloni Eccle'siastici or Termoners.' Thus were things ordered before the distribution of the Church goods into four parts, was admitted. At the Reformation the Termon lands became private property, and the clergy at present have not one-tenth of the ancient Church revenues in their hands; they have not the abbey-lands; they have not half of the rectories; they have lost the glebe-land of three provinces; the tithe of agistment, and personal tithes in a great measure. Instead, therefore, of having one-tenth of the produce, the clergy have not one-thirtieth of the rental. The rental of Ireland is estimated at 15,000,000*l.*; the produce is estimated at about three times the amount of the rental, and would, therefore, be 45,000,000*l.*; the tithe of which would amount to 4,500,000*l.* Now, so far from the tithes amounting to that sum, or anything even approaching to it, there is good reason for believing that it is somewhat between 400,000*l.* and 500,000*l.* Then, Sir, as to the clamour raised, and the palliation of outrage, attempted to be rested upon the allegation of the majority being taxed to pay tithes to the religion of the minority, surely no person capable of reasoning can contend for the exploded doctrine, that the occupier or tenant of the land pays the tithe, and not the owner of the land, and when it is considered that nine-tenths of the landed property of Ireland belong to Protestants, what becomes of all this boasted hardship? While, Sir, for these reasons, I must refuse my approbation to the fifth Resolution, I by no means would be understood as objecting, under other circumstances, to a consideration of the entire question of Church property, with a view to making considerable alterations, upon the basis, always, that the property of the Church was equally sacred as any other; for I have always objected to the measure and mode of the payment of tithe as operating as a tax upon industry, and an interference in the employment of capital; and as far as I have been able to consider the proposal of the Archbishop of

Dublin, to have the temporal concerns of the Church managed as those of a Corporation, having lay officers to perform all its secular business, I am disposed to view it favourably, the more particularly as it would avoid all collision of worldly interests between the clergyman and his parishioners, who, I think, should be only known to each other in the relations of mutual kindness—the pastor being as much the friend of his flock in matters of temporal government, as their adviser and comforter in those of religion; but I am strongly of opinion, that this should be made a distinct question, standing on its own merits, and not mixed up with the still more important one of the vindication of the just authority of the law—otherwise I fear it will be regarded as a yielding to clamour—a premium to violence and disorder—a proof that turbulence may lead to relief, and on the part of the Government, be justly considered as the first advantage that has been openly conceded (though I fear not the first that has been tacitly permitted), in that war in Ireland of population against property which has commenced with tithe, but which I am persuaded will not end there. I am very apprehensive, too, lest in dealing with this question, the Government may put in peril that essential and fundamental article of the Union between Ireland and this country, which provides that the Established Church of England and Ireland shall be united in existence and identified in interest; and I need not tell the right hon. Gentleman, that this is very tender ground to touch, and that no result could afford a triumph so complete as endangering that compact, to those who not perhaps appearing to the public eye as the violators of the law, have made the poor deluded peasantry of Ireland the dupes and the victims of their deep-laid artifice. And the right hon. Gentleman himself has well observed, that a successful attack upon the Irish branch of the Established Church will naturally induce the same against the English. I confess I regard the prospects of both with no cheerful anticipation—though, if that sacred edifice in which Church and State have been so long united, is to be dissolved, in my opinion, the State will be the greater sufferer—for I am satisfied religion can do better without the State than the State can do without religion. Yes, Sir, for though laws may be violating—Constitutions revolutionizing—Thrones shaking, and nations sinking around us, the cause of pure and undefiled religion must ever be secure in the custody of its great Author, resting on the eternal foundations of truth—which time or circumstances can never destroy nor ever alter. I do not wish in this case to evince any hostility to his Majesty's Ministers. I believe they wish to act fairly, or at least kindly, to the Irish clergy—but even though by refusing my assent to this Resolution, I might possibly promote the views of those whose object is very different from my own—yet I have always considered the straight path the safest as well as the best. Little weight as I feel to be due to my opinion, yet what does not approve itself to my judgment, I cannot sanction by my vote.

Mr. *Duncombe* concluded, from the speeches of the hon. Gentlemen who had spoken in favour of the Resolutions, that the measures of relief to Ireland would not be at all commensurate with the measures of coercion. The expression of "extinction of tithes" had received much qualification; and the right hon. member for Tamworth, in giving his assent to the Resolutions, said, that he took those words, not in their literal sense, but as meaning a different mode of collecting tithes, the money being still applied to the profit and benefit of what he must call a sinecurist and overgrown Church, and which the people of Ireland maintained to be a scandal to religion, and a detriment to the interests of the State. This was not what Ireland wanted; and it was in vain for that House to attempt to put down agitation, while millions of the people were called upon to support in affluence and idleness the ministers of a religion, to the tenets of which they could not conscientiously subscribe. The right hon. member for Tamworth had asked the House, whether they would yield to mob dominion? He would ask the right hon. Baronet whether the agitation which prevailed in Ireland on the Catholic question, and which he thought it desirable to calm by concession, was not as much mob dominion as that which now existed in that country? The hon. and learned Solicitor General for Ireland had proposed, in order to avoid any collision between the tithe-proctor and the peasant, that notices respecting the enforcement of the arrears of tithes should be affixed to the doors of parochial churches in Ireland. What information would these notices, stuck on Protestant Churches, convey to the Catholic peasantry? What use was there in affixing notices to churches which were not frequented? He would not deny that many eloquent sermons were delivered in those Churches; but it was the fact, that there was not, unluckily, any admiring congregation to listen to them. There were several parishes in Ireland, where the Protestant clergyman resided in his parsonage, with glebe land attached to it, but where there was no such thing to be found as a Protestant Church. What would the learned Solicitor General do in those places: Would he propose to build new Churches on purpose to place the notices on the doors? If the learned Solicitor General would take his advice, he would fix his notices on the cattle-pound gate, for that was the place best known to the unfortunate people of Ireland. He advised the House not to look at this question merely as an Irish question; for it was one which, if not properly dealt with, might make the call for the Repeal of the Union irresistible. The people of England, he was convinced, supported the view of the question which had been taken by the Irish population; and there never would be peace in Ireland, or tranquillity in England, until every abuse, both ecclesiastical and parliamentary, was redressed. When he recollected the assistance which had been given by the Irish people to the people of England, in their attempt to remove those corruptions at present existing in the representative system, he could not turn his back upon them, now that they were endeavouring to correct their own Church abuses. He would not, therefore, join the unholy crusade about to be commenced in vindication of a law which was not founded on reason or justice; and he cautioned the right hon. Secretary for Ireland to take care, lest, by the measure he was proposing, he should involve the country in fresh difficulties, occasion the effusion of much innocent blood, and lead to the downfall and disgrace of the Administration to which he belonged

Mr. *Hunt* said, that he still looked upon the whole measure contemplated by the Government as a delusion. It was a mere farce to get up a pretended extinction of tithes, unless the Catholic people were relieved from the payment of any portion of that unjust impost. Since he first came into Parliament he had continually heard the Irish Members, night after night, describing the distresses of the people of Ireland in the most affecting manner; but he never heard the Government say one word respecting the relief of those distresses. But the moment it was found that a small portion of the clergy was distressed, then they came forward with an application to the House for their relief, and for the coercion of the people. He must, however, object to money being taken out of the pockets of the English people, for the purpose of paying the bad debts of the Irish clergy. He was sure, that not a farthing would ever be returned. Who ever heard of money being sent to Ireland finding its way back again? It appeared to him that the scheme was one of the most scandalous measures ever proposed to Parliament; it was calculated to catch the small fry, but the large fish would break through the net. Was it not notorious, that the people of Ireland were encouraged by those above them to continue their passive resistance as it was called? If Ministers intended to stop the conspiracy, they must first stop the hon. and learned member for Kerry; he would soon drive a coach and six through their law, as he had done before. He did not blame the Catholics for evading the law, for if he was in the same situation he should follow their example. The hon. and learned Member, the Recorder for Dublin, had asserted, that the Church could do better without the State than the State without the Church: he should like to see the experiment tried. There was no established church in America, and yet there was no part of the world where genuine religion was better understood, or the people so well instructed. He was fully persuaded that Christianity would prosper as much in this country as it did now, if each sect maintained its own Ministers. It had been asserted by some hon. and learned Members, that there never had been a three-fold or four-fold division of Church property, but he thought the hon. and learned Recorder had proved the contrary by the extract he had read in the course of his speech. He did not believe the Roman Catholic Members had any such an unjust intention in their desire to extinguish tithes as to appropriate them to their own uses. The right hon. Baronet, the member for Tamworth said (and he Mr. Hunt considered him as a great authority) that he had no objection to an arrangement by which the Church property should be more appropriately divided among the clergy, though he would not consent to a farthing of it being applied for the relief of the poor. The hon. and learned Member had alluded to the lay impropriators, in a manner for which they were not much obliged to him. The Church had been robbed by them. The money the clergy received at the present time was not sufficient for the four purposes for which Church property was formerly applied, but if the whole of that which had once belonged to the Church was to be taken into the account, there would be a sufficiency. The reign of Henry 8th was the time of spoliation and robbery, when nine-tenths of the Church property was taken from the use of the poor, and given to landed proprietors. The day would probably come when the present possessors of this property would be called to account. It would be unjustifiable to take tithes from the clergy, and leave them to be enjoyed by lay impropriators. Their property was as much public property as if it remained in the Church. It was taken from the Church by Act of Parliament, and might be resumed by the same authority. He agreed with those hon. Members, who asserted, that this was as much an English as an Irish question; the people of England was anxiously looking for their decision, they were as hostile to tithes as the Irish. Two-thirds of the people were Dissenters, who hoped the extinction of tithes in England to follow the extinction of tithes in Ireland. He should oppose the proposition of the Government in every stage, when it came before the House in the shape of a bill, for he was sure tithes never could be collected without the assistance of a standing army.

Mr. *Stanley* did not expect, that the hon. member for Preston (Mr. Hunt) would have been satisfied with any measure which the Government should bring forward. The only question was, what ulterior measures should be adopted, after voting a sum of money for the relief of the Irish clergy, that being the sole point referred to in the Resolution now before the Committee. Before entering on that question, however, he was anxious to correct a misapprehension which had taken place with respect to something which had fallen from him on a former occasion. He had been severely reproached for saying that "it was time to read the people of Ireland a lesson." The sentence in which he used that expression was not distinctly heard on account of an interruption. What he said was, to the best of his recollection, this, that it was fitting that Ireland should be taught a lesson which she had had too much reason to learn—namely, that when she wanted to obtain that to which she was entitled, she ought to appeal to the justice, and not to the fears, of England—that violence was not the mode by which she could obtain justice, but that she might always look with confidence to the liberality and kindly feeling of England: that was the language which he had employed, and he did not think it necessary to retract a word of it. The hon. members for Hertford and the county of Wexford, complained, that in the measures he had felt it his duty to propose, the amount of coercion was disproportioned to and preceded the amount of relief; but until those hon. Members knew the extent of what they were pleased to term coercion as well as the relief which was contemplated, it was impossible they could come to a satisfactory conclusion on the subject. This, however, he would say, that he could not conceive anything less liable to objection than the principle of the measure which, in the discharge of his duty, he had submitted to the House, which principle was that of advancing money for the payment of arrears strictly due, and of removing the difficulties which stood in the way of claimants in attempting to enforce their legal rights by ordinary process. The hon. member for Tipperary had referred to the years 1798 and 1799, when the clergy of Ireland were placed in a similar situation to their present one. Did the Government, at that period, pursue the course recommended by the hon. member for Wexford? No such thing. It had acted in precisely the same manner in which the Government now proposed to act. The bill about to be brought in was founded on the bill of 1799, with an improvement in point of leniency, inasmuch as it took the exercise of power out of the hands of persons smarting under recent irritation, and fresh from collision with the peasantry, and placed it in the hands of Government, who would exercise the duties devolved on it with the greatest possible forbearance, towards those who were the objects of legal perquisition. This constituted the only difference between the plan of 1799, and that of 1832; and, both in efficiency and forbearance, the latter was preferable. The hon. member for Wexford said, that no steps ought to be taken for the recovery of the arrears of tithe due, until a substantive measure of relief was passed, otherwise the people would not be content. If they were to wait until the people were content, how could they ever hope to pass a measure of justice and equity? What evidence had they with respect to the motives of the persons now combining against the payment of tithes? He believed that many of them were deterred by intimidation from the payment; in fact, he knew that to be the case, and all these persons would gladly range themselves under the authority of Government, and rejoice at having an excuse for doing an act of justice, which they were now by compulsion prevented from performing. He had that morning received a letter through the Archbishop of Dublin, from a highly respectable clergyman, stating that the moment the report of the speech of his noble friend and colleague in the other House reached Ireland, the largest tithe-payer in his parish a Protestant, came to him and paid the whole of the arrears of tithe, which he had previously withheld, saying, "We now see that Government has really taken up the matter in earnest, and it is of no use any longer to resist the payment of tithes." This was not all. In consequence of the delay which had been interposed between the announcement of the intentions of Government and the carrying of them into effect—a delay for which the Government was not responsible—the inhabitants of this same parish had met together, and, conceiving the speech of his noble colleague to be what was vulgarly termed a mere flash in the pan, had determined not to follow the example set by their brother parishioner. This was only one fact out of a vast number which, he had no doubt, could be adduced in support of the opinion which he had ventured to submit to the Committee. The hon. member for Preston had described the measure which Government had proposed as a plan for catching the little fish, and allowing the great ones to escape. Now, the object which Government had in view was precisely the reverse of this. It had taken the decision of the question into its own hands with the view of catching the large fish, and permitting the small ones to pass through the net. It wished Parliament to invest it with powers which would enable it to reach persons in a high situation of life, who ought to set a good example to their inferiors, and who were able to pay, and at the same time to act with forbearance and leniency towards the unfortunate peasantry, who, from whatever cause it might be, had not the means of discharging the arrears of tithes which had been suffered to accrue. The hon. member for Tipperary endeavoured to persuade the House that, in many parts of Ireland, there had been a spontaneous expression of feeling against the payment of tithes; and, in support of his argument, he had referred to a Resolution passed at a public meeting held in that county. The hon. Member, however, only read a part of the resolution; he omitted a passage, in which the persons assembled at that meeting pledged themselves to obey the voice of Mr. O'Connell as to the resistance of tithes with a sense of gratitude and measureless confidence. And this resolution, signed "Thomas Steele, Chairman," professing measureless confidence in, and unbounded submission to, the dictates of Mr. O'Connell in the question of resistance to the payment of tithes, was put forward by the hon. member for Tipperary as evidence of the spontaneous feeling of the people of Ireland. Was that dealing fairly with the Committee or with the country? Were they to abstain from enforcing the legal rights of the clergy until, not the people of Ireland, but Mr. O'Connell should be satisfied? He really found it extremely difficult to meet the different objections which were made to various parts of the plan which he had submitted to the House. One party complained that the measure of coercion was more extensive than the measure of relief; while another party reproached them for having coupled with their plan of relief an attempt to redress a grievance which had led to disturbances. The phrase "extinction of tithes," which he had used, had been very much canvassed. He used that phrase advisedly, because he knew that it was one to which, after considerable discussion, a Committee of the House of Lords had signified their assent. He did not think that it could be objectionable for a Minister of the Crown, speaking in that House, to make use of an expression which had been sanctioned by a select body of the Upper House of Parliament, He thought, however, that it was impossible, for any man to be mistaken as to the sense in which he used the word "extinction," when he considered it in connexion with the other words of which the Resolutions before the House were composed. The right hon. member for Aldeburgh endeavoured to fasten on his former speech a meaning which it did not bear. The right hon. Member said, that he meant only to alter the mode of collecting tithes. He answered, that one of his objects was, to secure a provision for the Protestant clergy, and that the other was the extinction of tithes. It was impossible to be so cautious in one's expressions as to guard against misconstruction and misrepresentation, the more particularly where the extremes of two parties were ready to catch hold of any word for the purpose of torturing its meaning. It had been his endeavour, when speaking on this subject, to state, that he would not consent to any perversion of the Church property to purposes not connected with the Church, but that he condemned the system of tithes as the fruitful parent of grievances which it was necessary to redress without loss of time. These were the principles by which he had been guided in framing the Resolutions that he had had the honour to submit to the House. He conceived that he should but ill discharge the duty which he owed to the country if he were to propose the extinction of tithes, or indeed any change of system, without accompanying that proposal with a steadfast determination to uphold the authority of the law. Their concession must not be considered the compliance of weakness with the demands of violence; but the generous sacrifice of power to the principle of justice. When concession was extorted by fear it lost all its beneficial influence—it was a proof of weakness, which only encouraged further demands. He objected principally to the Amendment moved by the hon. member for Wexford, because it postponed the payment of the arrears due for an indefinite period. In conclusion he called upon the Committee not to refuse to sanction the measure which he had proposed, on the ground that it would not satisfy the people of Ireland, but, in reality, because it would not satisfy the hon. and learned member for Kerry.

Mr. *Wyse* begged to say, in explanation of what had fallen from the right hon. Gentleman, that the people of Ireland followed the advice of Mr. O'Connell upon this question, only because he echoed their own sentiments. No man entertained a higher opinion of Mr. O'Connell's abilities than he did, but if the hon. and learned Gentleman were not in existence, the people of Ireland would be just as much disposed to resist the payment of tithes, as they were at the present moment. The right hon. Gentleman had adverted to the resolutions agreed to at the meeting held at Thurles. He contended that those resolutions advocated no violent or illegal proceedings. One of the resolutions contained these words:—"It is only by obeying the law, that we can become too strong for the law." They also entered into a resolution, whereby they pledged themselves to use all legal and peaceable opposition, and every other constitutional means, for resisting the continuance of tithes in Ireland, their long oppressed and persecuted country. And they further resolved that they would not put themselves in the power of the old enemies of the people—and they solemnly called upon their countrymen to denounce any who should offer resistance by personal violence, as such conduct would only tend to perpetuate the present system.

Sir *John Bourke* having been one of those who voted against the going into Committee upon the propositions of the right hon. Secretary for Ireland, in the first instance, wished to have an opportunity of explaining the grounds upon which he did so, as well as those upon which he should feel it his duty to support the Amendment of the hon. member for Wexford. He, however, might not, in the present instance, have risen, were it not for the very strange and uncalled for observations of the hon. and learned member for Ilchester. That hon. Gentleman had thought fit to indulge in observations respecting the Catholic Members who had voted against his Majesty's Ministers, which, he thought, to say the least of them, were most unjustifiable and uncalled for. Why had the learned Member, in descanting upon the course pursued by the Irish Members, selected those who were Roman Catholics, and overlooked his hon. friend, the member for Armagh, and the seconder of his Amendment, who were Protestants? He thought such a course most ungracious, most unkind, and most uncalled for. He received the great measure which had made him a British citizen with additional satisfaction, because he thought it calculated to entomb sectarian distinction and religious discord; and since he sat in that House, he challenged the hon. Member to point out any one occasion on which he had either voted or spoken as a sectarian. He was hurt at the imputation, which he, to the fullest extent, felt it his duty to repel. Indeed he had never heard a Catholic get up in that House to advocate any appropriation of part of the tithes to the support of the Catholic clergy, and yet he had often heard that proposition contended for by Protestant Members: in private or in public he cherished no sectarian feelings. The Protestant Bishop of Clonfert was the collector of the tithes of his parish, and he had the happiness of living on terms of great friendship and intimacy with that excellent individual. At the late election for that county, the Protestant rector of his parish had voted for him, and he was proud of the honour of having had one of the most active members of his committee, a Protestant clergyman. It was on these accounts he felt indignation at the imputation of the hon. and learned Member. He again repelled the imputation. He had always taken every subject as it came before the House upon its own merits, and without any bias of sectarian feeling. With respect to the propositions before the House, he certainly had no objection to afford aid to the Protestant clergy who might have suffered on account of the resistance to tithes. Neither, as a landlord, did he feel any disposition to interfere with the existing rights of the present incumbents, but, with regard to the specific resolution now before the House, he was certainly opposed to it; and the first ground of his opposition was, that it directly violated the promise held forth in his Majesty's speech at the opening of the Session of Parliament. In that Speech it was distinctly declared, that Government had it in view to afford the necessary protection to the Established Church, and at the same time totally to remove the causes of complaint. Was the resolution before the House calculated, to have this effect?—on the contrary, it was calculated to produce increased ill-will and increased irritation in Ireland. He thought that much advantage would result from postponement without any evil. In the first place, it would be a check upon those who would have the payment hanging over them; and then, surely, no disadvantage or insecurity could arise. From a pauper they never could recover, and from a solvent person they would have it in their power to recover at any time. He would recommend the measure of conciliation, which would totally supersede the necessity of any measure of coercion, besides which it would endear the Government to the people, and give it dominion not over their fears but their affections. He had much experience as a Magistrate in tithe cases, and he was convinced that the present measure would be found inoperative. If notices were posted upon the church gates, those notices would not be suffered to remain. The hon. Baronet concluded by recommending that Commissioners should be sent to Ireland—men unbiassed and uninfluenced, who would see, from the condition of the people placed before their eyes, what was the permanent and efficient remedy their case demanded. He was firmly convinced that these arrears could never be collected, and that the measure of coercion would fail, unless it were accompanied by a measure of relief. He should therefore, feel it his duty to vote against the resolution, and support the amendment of his hon. friend, the member for Wexford, which he was sorry to see so perseveringly resisted and unwisely opposed.

Mr. *Anthony Lefroy* had heard with great pleasure the observations of the hon. Baronet on the Protestants of Ireland, and he was sure that Gentlemen who differed in religious doctrine from that hon. Baronet, would be very unwilling to impute to him opinions different from those he had now expressed; but he surely must be aware, that many of those Gentlemen who generally voted with him, and who arrogated to themselves the denomination of "the Irish Members," had often expressed themselves in terms calculated to give pain to the Protestants of Ireland, and to their Representatives in that House, which, therefore, had naturally called forth in reply, strong declarations. One great and important admission had been made by the right hon. Secretary for Ireland—he meant that in which he stated, that some farmers in Ireland, as soon as they found that the Government were determined to enforce the law, had come forward to declare their readiness to pay their tithes, and that it was not necessary for Government to do more than to make known its determination to employ the powers with which the law invested it. Had the law been enforced some months ago, it would have done away with all the agitation which at present existed, and have suppressed that spirit of resistance which now so unhappily prevailed throughout Ireland. With respect to the statement made by the hon. member for Hertford, he would only say, that he did not suppose that a majority of the British House of Commons was yet prepared to vote for the demolition of the Established Church. It had been admitted that tithes were the lawful property of the Church; and that the clergy had acted with so much forbearance and lenity in collecting them, that they were, in many instances, reduced to great suffering and want. Under such circumstances, he thought it was only compatible with justice and good sense that the Government should be enabled to afford relief to those who had been the innocent victims of lawless agitators, and likewise, that it should be intrusted with the power, and required to enforce the payment of the arrears from those conspirators from whom the tithes were due, and who had resisted the collection of them. On that ground he should support the Resolution now under consideration. But, with respect to the fifth and last Resolution, he must protest against it on two grounds. First, because he did not conceive it was sufficiently explicit. It held out a hope, indeed, that if tithes were extinguished, they should have a substitution in the shape either of a rent-charge on the land, or an apportionment of the land itself; but neither the time when, nor the mode how, this measure was to be effected had been stated. On the contrary, the Resolution was so dubiously worded, that his Majesty's Ministers could not have devised a better method, had they wished to have deceived both parties; for they had by this Resolution a ready reply to both sides of the House. To those who advocated the rights of the Church they were enabled to say, "we are no enemies to the Church, for do we not here propose to give a commutation for tithes?" While, to those who were opposed to the Church, they could say, "have we not proposed to extinguish the tithes?" Indeed, he did not think this Resolution fair or satisfactory to any party. In addition to this, he entertained strong doubts as to the advantages of either of the alternatives proposed to be substituted for the present system of tithes. Under the irritated circumstances of Ireland, it would be as difficult as under the present system, to collect rent from farmers on Church lands, nor would such a plan afford any relief; because, by the admission of the right hon. Secretary for Ireland, even if tithes were entirely abolished, it would only afford an excuse for raising the rent, and thus the tenants would be subject to greater oppression. They have it also in evidence that many persons who were able to pay tithes, and who did not complain of their amount, still refused to pay them because they disapproved of the principle upon which they were demanded. It thus appeared, that it was not the amount, but the appropriation, of the tithes which gave offence; and, in corroboration of this position, it had been admitted, by many Members for Ireland, who differed from him, that, until their appropriation be entirely altered, no measures of Government or of the Legislature, with a view to relieve the people, would give any satisfaction. He objected to this Resolution, secondly, because he considered the term "extinction" as nothing less than concession to Popish tyranny: for what was the ground upon which Government rested the justification of the use of this word concession? Because resistance to the payment of tithes was become almost universal among the people. But where, from the evidence, did it appear that resistance commenced? It commenced, took root, and spread, from the diocese of Dr. Doyle; and the right hon. Secretary had admitted, that it was not the amount of the tithe which was the grievance, but the paying the minister of a different religion. Under all these circumstances, he objected to the last Resolution. With respect to an alteration in the system of tithes, he was not prepared to say that some alteration might not be beneficial to the Church. But, before any change was made, it was absolutely necessary that the existing law should be enforced; and that a resistance to the payment of tithes, no more than a resistance to the payment of rent, should be allowed by his Majesty's Government. If the law was to be changed, let it be done for the benefit of the peaceable and loyal portion of the people, and not by way of concession to the wilful violators of all law, and impugners of all right. He must beg leave to quote the opinion of an eminent Judge of the present day on this important point. "I recoil" said he, "from all amendments which are prefaced by an invasion of rights and a deposing of the law, and which an usurping and headlong power would then be introducing. I shrink from those improvements, the basis of which is laid in lawless violence and insurgent fury, in vulgar tyranny and outrage, in felony and murder; no benefit that could be gained is equivalent to the mischief that is done by giving unchecked predominance to that mere physical and vulgar force which must identify itself with the ignorance and violence of the country; and, so far from conceding a demand, not on account of its justice, but of the turbulence and bullying power of those who made it, I would rather consider this measure as raising an obstacle—I will not say an insuperable one—to even reasonable concession, that every surrender to unenlightened and overbearing power might but encourage further encroachments, and increase unjust demands." He must add, that he viewed with peculiar jealousy the intrusting the present Ministers with the powers they required. They desired to have a power to advance money to pay the arrears of a legal debt owed by the people of Ireland to the clergy of that country—they wished to have the power of promising to that people that tithes should be extinguished; and those powers they asked to have conferred upon them, without giving any satisfactory assurance that their future measures would efficiently secure the stability of the Church of Ireland, and protect the rights and property of the clergy of that Church, whose importance and utility, as resident gentlemen, the right hon. Secretary had declared to be inestimable. He could not forget that many of the members of Government, when out of office, voted for the spoliation of this property; and that, since they had held office, they had exercised their influence to the prejudice of Protestant institutions, and in a way insulting to Protestant feelings. On these grounds, he shrunk from committing the disposal of Church property into their hands, and he should, therefore, certainly dissent from the last Resolution, regretting, indeed, that his dissent would be of little avail.

Mr. *Gisborne* had not hitherto taken any part in this discussion, from the difficulty he had experienced in making up his mind upon the subject; he felt, therefore, that he should need the indulgence of the House while he made a few observations upon it. It was his intention to speak rather upon the general question of the Church Establishment in Ireland, than upon the particular Resolutions now under consideration. Although many hon. Members had spoken during this debate, yet both the advocates and the opponents of the proposed measures had alike passed by what he conceived to be the most important question connected with the present discussion, namely, what was to be the ultimate appropriation of the tithes in Ireland? It appeared to him, that the tendency of the measure brought in some years ago, by the late Chancellor of the Exchequer, which had for its object the commutation of tithes, was merely to stave off, for a time, the evil day which was then seen to be fast approaching; and the present measure was calculated only to stave off a day which must inevitably arrive, when the Legislature must take into its serious consideration what was to be done with the Irish Church Establishment. Sentence had already been pronounced against the existing system, and it appeared to him that the day of execution had overtaken them, and that they might, indeed, look for a respite—but they would look in vain. There were but two grounds upon which the existence of an Established Church could be justified: either that it was suited to the spiritual wants of the people, or that it was useful as a political engine. Was the present Church Establishment of Ireland, then, adapted to the spiritual necessities of the people of that country? In England, where there were Bishops, and a ministry with large congregations, to whose religious wants they might beneficially administer, the Establishment might be both right and necessary; but was that the case in Ireland? He was aware that it had been the policy of this country to keep up a rich and powerful hierarchy in that part of the empire, with the hope of converting the Catholic population to the Protestant faith; but the attempt had been singularly unsuccessful. For how many centuries, then, he would ask, after the total failure to attain that object, were they to maintain the system of collecting a revenue from the Irish people to pay the clergy of a Church which was unsuited to their spiritual requirements? Were there any reasonable grounds capable of being put forth, why they should continue to support such an Establishment? If such was the state of Ireland with reference to the religion of the people, that not less than six-sevenths of the population were obliged, after paying tithes to the Protestant clergy, to provide for the support of the teachers of their own religion (not, indeed, out of any particular fund set apart for that purpose, but from their own resources, voluntarily, and in kindness, paid by them), could they, in reason, look for the repose of that country so long as such a system obtained. In his conscience, he believed that there never could be any quiet in Ireland until every vestige of the Protestant ascendancy was entirely done away with. What reason was there that the Irish should submit quietly to make provision for our Church Establishment. Did they not find, in every age and in every nation, the established religion adapted to the prevailing feelings and opinions of the people? Every country was more sensitively alive upon this point than on any other. Did the people of Scotland consent to maintain a body of religious instructors whose creed was different from their own? Did the history of that country afford any reason to infer that an attempt to keep up a Church Establishment in Ireland, of a faith opposed to that of the mass of the people would succeed? Had they any reason to suppose that they could persevere in such an attempt, without exciting in the minds of the people discontent, anger, and even open hostility? For what was it that the Irish were thus compelled to pay towards the support of the Protestant Church? Was it because it was their religion? No; no doubt ours was the true religion, and theirs the false. But this argument was good for the Catholic as well as the Protestant. It was merely an argument founded on power. We said to them—"True; we cannot coerce your minds, but we are the strongest, and, therefore, we will make you maintain our clergy." But was this mode of dealing consistent with justice, or even with sound policy? Was it an argument upon which they could safely rely, for maintaining and securing the peace, stability, and general conservation of the empire. On the last night of this debate, the hon. member for Wexford moved an amendment, in a speech of great eloquence, and advanced opinions which did him much honour. One argument, however, was employed by him, which appeared to him (Mr. Gisborne) not to be of any great moment. He condemned the Established Church of Ireland, because, he observed, at the time when that Church was first introduced there, the clergy consisted of a number of English adventurers. But what did that fact amount to, but to this—that our ancestors oppressed his ancestors? They might, he conceived, illustrate the hardship of the Roman Catholic people of Ireland being obliged to support a Protestant clergy in a much better way. Let him suppose the hon. Member for Wexford a Roman Catholic Gentleman, having some Protestant neighbour. The Protestant, when he had paid his tithes to the Church, had paid them for the support of his own religion; but the hon. Gentleman, when he had paid his tithes, and his means had been so far diminished—had still to provide himself with a religious instructor. The one received something in return for his money; the other received nothing. What was the natural consequence of this? Why, that the one made the payment with satisfaction, and the other with disgust. Possibly his remarks might appear strange to some Gentlemen, but he had seen so many opinions abandoned, that he did not despair of living to see the day when those opinions which were now cherished in opposition to the feelings of the people of Ireland would be resigned, and a policy pursued towards them which was founded on justice. He felt the decision of the question to be so difficult, that he had resolved not to vote on it, though it was with great reluctance that he withheld his assent from any measure proposed by the Ministers for the good of Ireland.

Sir *Edmund Hayes* said, that the Government ought to have taken a lesson from the result of Catholic Emancipation, which had not been followed by those effects which had been expected from it. The present discontented state of Ireland ought to teach them that concessions were not calculated to satisfy the people there; but tended rather to incite them to fresh and more exorbitant demands. He should give his cordial support to the Resolutions, but he, at the same time, must warn Ministers to arm themselves with full power to carry their intentions into effect, and not to act so as to give the people reason to think that their resistance was in any degree sanctioned by Government.

Mr. *Walker* wished to see agitation put an end to. It was asserted that the speeches of those hon. Members, who described, from their own knowledge, the wretchedness of Ireland, were calculated to produce agitation; but, in reply to this unfounded assertion, he must say, that the speeches of those hon. Members, who were totally ignorant of the subject which they undertook to discuss, were much more likely to produce agitation than those to which that effect was attributed. When it was stated that the Irish were more discontented now than they were before emancipation had been conceded to them, it ought to be remembered that the denial of that measure was not the only grievance of which they had to complain. The Resolutions contained only measures of coercion, and he must oppose them, from a firmly grounded conviction that they were unjust, and would provoke more agitation than at present existed, and lead to further mischief. He did not mean to contend that the arrears of tithes ought not to be recovered from such as were solvent; but it was most unjust to adopt only a measure of coercion. He contended that the coercive measure and the remedial measure ought to go hand in hand, which would have this additional advantage—that the people themselves would be disposed to pay up such arrears as were justly due.

Mr. *Schonswar* believed that an extinction of tithes must take place, though that was not the proper time for going into that discussion. It was true that English Gentlemen might not be acquainted with Ireland; but they knew human nature, and they knew history; both of which went to prove that anarchy must follow on a successful resistance of the law, unless the Government took means more powerfully to enforce it.

Lord *Duncannon* had implicit confidence in the declarations of the Chancellor of the Exchequer, and of the right hon. Secretary for Ireland; and he should, therefore, vote against the Amendment, and support the original Resolutions. He sincerely hoped that the measure would answer all the purposes intended.

Captain *Jones* defended the clergy of Ireland from the charge of extortion, and complained of the misrepresentations of the hon. Member for Wexford.

Mr. *Jephson* said, he was loth to oppose his hon. friend, but he must vote against the Amendment. He thought it was absolutely necessary for the safety of all, that the Government should be enabled to enforce the law.

Mr. *Lambert* in reply, contended, that there was no fear of the people refusing the payment of rent if the arrears of tithes were not collected, because they received something for rent, viz., the land, while for tithes they received nothing. If the payment of the arrears were enforced by coercive measures, it would produce a state of anarchy. He implored the Ministry not to press the coercive Resolution, and not to enforce bad law at the point of the sword. He wished it not to go forth to Ireland that the Ministers meant to prevent the healing effects of the beneficial measure they contemplated. He implored the right hon. Gentleman, the Secretary for Ireland, who, report said, was to leave them, not to part from them except in peace and good will.

The Committee divided on the Amendment: Ayes 25; Noes 113—Majority 88.

Original Resolution agreed to.

List of the AYES.

Bainbridge, E. T.
Bellew, Sir P.
Bourke, Sir J.
Chapman, M. L.
Doyle, Sir J. M.
Duncombe, T. S.
Grattan, J.
Grattan, H.
Hume, J.
Hunt, H.
Killeen, Lord
Lambert, J. S.
Leader, N. P.
Macnamara, W. N.
Mullins, F. W.
Musgrave, Sir R.
O'Farrell, R. M.
Parnell, Sir H.
Power, R.
Ruthven, E. S.
Sheil, R. L.
French, A.
Walker, C. A.
Wallace, T.
Wyse, T.

TELLER.
Lambert, H.

The last Resolution was then read as follows:—"That it is the opinion of the Committee that there exists an absolute necessity for a change in the system of tithes in Ireland, for the maintenance of the clergy in that country, by a commutation in lieu of the tithes, as now collected."

Mr. *Perceval* rose to ask the right hon. Gentleman whether he meant by the Resolution before the House, to appropriate the property of the Church to other purposes than the maintenance of the Established Church in Ireland?

Mr. *Stanley* said, that he did not think the present to be the appropriate time fo entering into such a discussion. Th question which the Committee was then called upon to decide, was unconnected with the future appropriation of the tithes. His object in bringing forward these Resolutions was, to alter a system which was at once oppressive to those who had to make, and insecure to those who had to receive, payments under it. At the same time, he was free to confess that, in his opinion, the property of the Protestant Church of Ireland ought not to be diverted to other than the Protestant Church purposes.

Mr. *Hume* expressed himself surprised at what had fallen from the right hon. Gentleman in reply to the inquiry of the hon. Member near him. He was of opinion that the clergy should be paid like the army. The tithes should be resumed, and the property appropriated in the most beneficial manner to the public. There was a time when the clergy directed every thing: that time existed no longer, and now they ought to be looked upon as public servants, and paid like other public men. It was too much to say that the Protestant clergy of Ireland were to retain all this Church property for their use.

Mr. *Stanley* did not mean that the whole property was to be left in the hands of the clergy; but the commutation, whatever it was, would be appropriated exclusively to ecclesiastical purposes.

Mr. *Sheil* thought it necessary to address a few words to the Committee, in consequence of the declaration of the right hon. Gentleman, that ecclesiastical property ought only to be applied to ecclesiastical purposes. He would remind nine Members connected with the present Ministry, that on the 6th of May, 1824, they had all voted, and he begged leave to say that the noble member for Kilkenny (Lord Duncannon) was one of the nine, in favour of a resolution proposed by the hon. member for Middlesex to this effect:—"That it is expedient to inquire whether the present Church Establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed and the income they receive."* He would frankly confess that the Resolution then before the Committee contained nothing pledging the Government either one way or the other as to the future appropriation of tithe. It stated that there must be "a complete extinction of tithes, by commuting them for a charge upon land, or an exchange for, or an investment in, land." Now, even when so exchanged, tithes would be subject to the control of the Legislature. It was a late hour to enter into the discussion of such a topic, but, late as the hour was, it was not too late to tell those nine Members of the Government that there was conviction firmly rooted in the minds of the people of Ireland, that they were too deeply pledged to retract on the subject of the Church property in Ireland. He asked how could the Lord Chancellor, with all his protean powers—he asked how could the noble Paymaster of the Forces—escape from the pledges which they had given, without a breach of political honour? He knew that, at the present moment the embarrassments of the Government were great, but in all probability they would be over in less than three weeks. Could they not then have delayed the introduction of this measure for two or even three short weeks? He thought it right to make these remarks to snatch his country from the despair to which it was likely to be reduced by the passing of these Resolutions.

Mr. *Stanley* rose to protest on the part of the Members of Government, against the observations which had just fallen from the lips of the hon. and learned member for Louth. He could assure the Committee, that at a proper season no Member of the Government would shrink from a fair exposition of his sentiments on this subject. But, as he considered that neither the present tenure, nor the future appropriation, of the Church property of Ireland were then before the Committee, and, as the Committee was then called upon to decide upon a case which was only a part of that great measure, he thought that Ministers had exercised a discretion which it would not have been amiss had others also exercised, in confining themselves strictly to the discussion of the Resolution then before the Committee. He thought that the hon. and learned Gentleman would have candour enough to admit, that when either his noble friend the Chancellor of the Exchequer, or himself, had had questions broadly put to them, they had not been slow in giving them an answer.

Sir *Robert Inglis* was also desirous to put a question to the right hon. Gentleman the Secretary for Ireland. He wished to know whether his right hon. friend, after gaining the assent of the Committee to this Resolution, intended to consider, not merely the rights of the present incumbents, but also the rights of the Church *in perpetuum?* [*cheers*]. He valued those cheers much, for he saw the *animus* with which they were given, and they would teach the Protestant people of England what they had to expect from those who gave them. Those cheers showed that those who raised them were prepared, not merely to take away one or two prebendal stalls, but even to sweep away the entire establishment of the Church. He asked this question, and he was led to ask it by the observation of the hon. member for Middlesex—he asked, whether, by assenting to this Resolution, the Committee were to be led step by step to that point at which they would find at last all the rights of the Church forfeited?

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* Hansard. New Series, vol. xi. p. 559.

Mr. *Stanley* must decline giving any answer to that question at present, as he could only answer it satisfactorily by entering into a detailed explanation of his intentions on this subject—an explanation for which there was not time that evening, and which could not be given in an abridged shape, without incurring the risk of its being in all its parts misinterpreted.

Mr. *Henry Grattan* said, that, to bring the sincerity of the Ministry to a test, he would move as an Amendment, that the following words be added to the Resolution then before the Committee, "and we trust that in any such arrangement the House will provide for an appropriation of tithes in more accordance with their original institution and the feelings of the people of Ireland."

Mr. *Stanley:* I ask the Committee whether there are any two men in the country who can apply the same meaning to this Amendment?

Mr. *Philip Howard* rose in consequence of what had fallen from the right hon. Secretary for Ireland. He had supported the Resolutions which went to enforce the existing law; for, by the spirit, as well as by the letter of the law, whatever perils might menace his country, it was the duty of every honest patriot unflinchingly to cling. At the same time, in any re-appropriation of the Church revenues of Ireland which might take place under legislative sanction, it was far from being his opinion that the whole ought to be again devoted to the exclusive maintenance of the Established Church. Under a more equitable allocation of that fund, without subtracting any portion from ecclesiastical purposes, the Presbyterian clergy might be assisted, if not altogether maintained—the Catholic priesthood and hierarchy, bound by benefits to their country and the constitution, would enjoy an independence and possess means for the cultivation of learning they did not now enjoy. The Protestant Established Church might still continue to be upheld in all temperate splendour, whilst the people of England would no longer be called upon to contribute to the Presbyterian clergy or to the college of Maynooth.

The Amendment was negatived. Original Resolution agreed to.

House resumed.

VOTING BY PROXY.] Mr. Alderman Hughes Hughes gave notice of his intention to move, on an early day, for leave to bring in a Bill to prevent the Members of the other House of Parliament from voting on any future occasion by the means of proxies.

Sir *Robert Inglis* entreated the hon. Member not to persist in this notice, as it was a manifest attack on the privileges of the Peers of Parliament. The House of Commons would not suffer any Peer to interfere in the election of a Member of that House, and it would be equally objectionable in any Member of the Lower House interfering with the privilege of the Peers.

Mr. *Spring Rice* begged leave to enforce on the hon. Member this view. He could assure him that it was quite unusual, and might be attended with the most pernicious consequences, for either House to interfere with the privileges of the other.

Mr. Alderman *Hughes Hughes* had no idea that there was any thing improper in his notice; but, if it would be thought such an invasion of the privileges of the Peers, he would withdraw it.

Notice withdrawn.

HOUSE OF COMMONS,

Saturday, March 31, 1832.

MINUTES.] Bills. Read a second time; Mutiny. Read third time; Sentence of Death Regulation.

Returns ordered. On the Motion of Sir JOHN HOBHOUSE from the Parish Officers of St. James's, Westminster, the Number of Rate-payers qualified to Vote for the Ado tion or Rejection of the 2 William 4th, the Number Votes tendered, and the Number rejected.

Petitions presented. By Sir GEORGE ROBINSON, from th Inhabitants of Northampton, for extending the Time f Retailers of Beer to keep their Houses open, and f placing them on the same footing as Licensed Victuallers:—By Mr. MORE O'FARRELL, from the Inhabitants of Kill, Lyons, Bodenstown, Cloncurry, Athy, Monasterevan, Kildangan, Nurney, Lacca, Lea, and Harristown, for the Abolition of Tithes:—By Mr. HUME, from the Northern Political Union, praying the House not to renew the Mutiny Bill until after the Reform Bill was passed:—By the Earl of BELFAST, from Belfast, that all Vessels Sailing with Passengers be required to carry a Surgeon:—By Mr. EWART, from the Catholic Merchants and Traders of Galway, for Equalizing Civil Rights in that Place:—By an HON. MEMBER, from Operatives of Hyde, against the Factories Regulation Bill.

STATE OF IRELAND.] Mr. *O'Ferrall* presented a Petition from the landholders and inhabitants of Cadanistown and Mylerstown, in Queen's County, praying for an alteration of the tithe system. The petitioners remarked that in consequence of the manner in which tithes were collected, and the excited state of the country, they had been compelled to refuse altogether to pay tithes.

Sir *Henry Parnell* said, that, as member for Queen's County, he could not help adverting to the state of that part of Ireland on the present occasion. He had received information that morning, apprizing him that a public meeting had been held, at which a petition was agreed to, signed by the whole of the Magistracy and most other persons of the highest character and respectability, in the county. It stated, as he understood (for he had not received a copy of it yet) that disturbances of the most dangerous character existed in that county; that a confederacy prevailed among the lower orders, which enabled them to exercise a complete control over the higher orders, and to set at defiance the laws which were passed for the general protection of the community. He was further informed, that houses were frequently attacked by armed parties in the open day, and that murders were sometimes committed during such attacks. He was likewise informed that the reign of terror made it impossible to obtain a conviction against these marauders when brought to trial, and that thus peaceable persons, who disapproved of these violent proceedings, were obliged by a regard to their own safety, to give them an implied but involuntary sanction. He called the attention of the right hon. Secretary for Ireland to this subject; he trusted that something would be done to restore peace and security to that part of the country. The Magistrates were of opinion that the Insurrection Act should be renewed, and that Government should be invested with additional powers to put down this system of intimidation and outrage.

Sir *Charles Coote* concurred with his right hon. colleague in every word he had said, and in demanding the immediate application of some remedial measure to the perilous state of things which prevailed at present in the Queen's County. The law, as it at present stood, had been wholly unequal to cope with the evil, even with the assistance of the police and military.

Mr. *Lefroy* begged to read a letter which he had this morning received from a gentleman in the Queen's County, respecting the state of part of the county. It stated, that, in consequence of the bands of armed parties traversing the county, and committing every species of outrage, the gentry were obliged to stay at home from church on Sundays, or to leave some members of their family behind to protect their property. In the adjoining county of Carlow, they were obliged to adopt the same plan. The troops of Lancers which had been stationed there had been withdrawn, and now not a soldier was to be seen. The persons who committed those outrages made no secret of their intentions, but openly declared their determination to take all the arms they could get in every house.

Mr. *Stanley* did not mean to deny that considerable disturbance had, for some time past existed, and did even now exist, in the Queen's County. In a conference which he held with the right hon. Baronet, and some other gentlemen of that county, he had stated the readiness of Government to furnish arms to the resident gentry and inhabitants of that county, if they would join the police in forming daily and nightly patrols for the protection of property, and for the apprehension of the disturbers of the peace. That offer was received with satisfaction at the time, but would the House believe that, from that hour, to the present, not a single patrol had been formed, nor a single application made to the Government for arms. He asked the right hon. Baronet if any application had ever been made by the magistrates of Queen's County to the Government, which was not promptly attended to? He had that morning received a letter from Sir William Gossett, stating, that an application had been just received for powers for the Magistrates to enforce the preservation of the Peace Act, which authorized an augmentation of the police, and gave additional authority to the stipendiary Magistrate This application had been immediately acceded to, but, before it was possible to put that Act effectually into operation, the Magistrates of the county came forward, through the right hon. Baronet, and asked for a renewal of the Insurrection Act. Now, most of the offences which the right hon. Baronet had spoken of, were committed in the face of day, and the Insurrection Act only applied to persons who were found from their homes between sun-set and sun-rise. As the Insurrection Act would, therefore, be unable to abate the evil of which the right hon. Baronet complained, he could not consent to call for its application. Though he certainly must admit that there was a considerable amount of crime in the Queen's County, he was able to state from the returns which had been made to him, that there was a diminution of it in February, as compared with January last. The right hon. Baronet had required additional powers for the Government to put down the outrages, but such persons must consist mainly of a military force: and the right hon. Baronet had very recently contended for a reduction of that force, and had made great boasts of his intentions in that respect, had he continued as Secretary at War. Surely there was something very inconsistent in these conflicting statements, which he would leave it to the right hon. Baronet to reconcile. He regretted, that, under all the circumstances, he could not comply with the prayer of the Magistracy of the Queen's County for the renewal of the Insurrection Act. At the same time, he felt it necessary to assure them, that every possible assistance by means of the police or otherwise, would be afforded them by his Majesty's Government.

Mr. *Dawson* could not but rise to say a few words on this subject, feeling as he did the necessity there was for some steps to be taken to put a stop to these outrages in Ireland. The right hon. Gentleman who had that moment sat down, had on former occasions, as well as on that, thrown out the insinuation that the proper remedies were not enforced by the gentry of Ireland. The right hon. Gentleman had cast out these insinuations upon the gentry of Ireland, because they had not thought proper to go out parading the streets and lanes at the risk of being overwhelmed and annihilated, as he (Mr. Dawson) would contend they would be, by these nightly and daily marauders. The gentry could not, living as they did, in the midst of these rioters and murderers, do that which the right hon. Gentleman the Secretary for Ireland, had so loudly said they ought to do, without certain and positive destruction. What was the case of Captain Graham? He would call the attention of the House to that case. That gallant gentleman, as hon. Members must be aware, had done that very thing which the right hon. Secretary now called on the other gentry of Ireland to do. Well, what then had been the consequence of it? Why, that he had been brought before a Judge and a Jury of Ireland, to answer for acts committed, when he considered himself as performing a service to his country. The Juries of Ireland had acquitted Captain Graham, but the Government had continued to persecute him for his conduct on the occasion of his going out. He could not, in any way, concur in the insinuations and sneers thrown out by the right hon. Secretary for Ireland, against the statement made by his hon. friend, the member for the University of Dublin, as connected with this subject, because he had said, that such was the dangerous and disturbed condition of these parts of Ireland as to render it necessary for the gentry, when they went out of doors, whether by day or by night, to carry muskets in self-defence against the attacks of these marauders. The right hon. Secretary said, that an end would be put to the present state of things in Ireland were the gentry to associate, more particularly in Queen's County and Kilkenny, and patrol the streets night and day. He had no hesitation in saying, that this plan would not have the effect prognosticated by that right hon. Gentleman. It was utterly impossible for him to describe the actually disgusting state of society in Ireland at this moment, and he could not, therefore, help saying, that the conduct of the government of Ireland was not merely disgusting, but degrading to its character. On a recent occasion the answer given by the Lord Lieutenant to an application or statement of the most dreadful riotous outrages which were proceeding in a certain part of the country, was totally unfitting the office he held. He thought the Marquis of Anglesey the most unfit person he had ever seen for the government of Ireland. He was, he had no hesitation in saying, the most unfit man for the situation, of any gentleman who filled the office within his remembrance. That noble Marquis had recently made the most ridiculous display he had ever heard of before the rabble of Dublin. Indeed, to such an extent had his ridiculous conduct gone, that he had become the complete laughing stock of every person of rank, wealth, and consideration in the country. The right hon. Secretary might laugh, but he begged to remark, that he would find it but a very feeble support of his position. He would also say, that unless the present system of government in Ireland were changed, the bloody-minded marauders would continue their career to a terrible end. There must be something more done to put a stop to their proceedings than the right hon. Gentleman thought of. He knew of no plan but the Insurrection Act that could effect the object. He would not attempt to defend his right hon. friend, the late Secretary at War, from the attack which had been made upon him by the right hon. Secretary for Ireland; but he did think that there was no necessity for it, and the right hon. Secretary would have consulted his own dignity better had he refrained from casting out those sneers and sarcasms on his right hon. friend, as they could only tend to raise embittered feelings where there was no other cause for it.

Mr. *Spring Rice* considered that those who advocated the introduction of the Insurrection Act as a means of tranquillizing Ireland, were relying upon a broken reed. When the right hon. Gentleman opposite recommended rigorous interposition on the part of the government, he felt it his duty to object to such general terms, and must request to know what his right hon. friend meant by acts of rigour? It was notorious that the ordinary force of the law had been put in full and extensive operation—that, at the last Assizes at Maryborough, no less than forty convictions had taken place, and every demand that had been made for military assistance had been complied with. With respect to the Insurrection Act, a most melancholy instance of its effects had been given in the county of Limerick, and in his opinion, the remedy which had been proposed by the right hon. Gentleman would tend to increase rather than allay the difficulties under which Ireland laboured. He attributed the tranquillity of Limerick and Cork to the vigorous and almost unrelenting administration of the ordinary laws of the land. He would wish to know what encouragement the Magistrates expected, or ought to receive, further than that which resulted from a discharge of their duty, careless whether a Whig or a Tory Government was in power. An analogy had been drawn between the case of the Magistrates and that of Captain Graham, and it had been said, that they did not receive encouragement from the Government, because Captain Graham had not been made a Magistrate of the county; and, therefore, it was a full justification of the Magistrates of the Queen's County not to interfere to quell the disturbances. When once a Magistrate applied for the Insurrection Act, he neglected the ordinary operation of the laws of the land. With respect to the imputations that had been thrown out by the right hon. Gentleman opposite against Lord Anglesey, he should say nothing—they answered themselves; but if that right hon. Gentleman thought, by the observations he had made, he would withdraw Lord Anglesey from those kindly associations and feelings by which he was connected with the people of Ireland, he would prove himself as mistaken on the subject, as he was ignorant of the character of the people of Ireland themselves. Nothing that fell on the occassion alluded to from the Lord Lieutenant of Ireland could be for a moment distorted into a ground for believing that had Lord Anglesey, who, by a due Administration of the law, had tranquillized Clare, was disposed to encourage violence, or to disregard the law of the land. He would assure the House, and especially those Members who had not witnessed the administration of the law under the Insurrection Act in Ireland, that nothing could more effectually promote ultimately the cause of insubordination and disturbance. If it partially relieved the exigencies, the inconveniencies, and risk, described by the right hon. member for the Queen's county, greater mischiefs were ultimately caused. If the peace and tranquillity of Ireland were at all to be promoted, it was not under Insurrection Acts, but by the firm, determined, rigorous, constant and unremitting Administration of the ordinary law of the land. And if an assize had been ineffectual, he would say let Special Commissions issue, and continue till peace and tranquillity were restored—

this, and this alone, would tranquillize Ireland.

Mr. *Carew* approved of the conduct of Government, and thought that the police and military formed a better force than the yeomanry.

Mr. *Chapman* approved of the measures adopted by the present Administration for the government of Ireland.

Sir *Henry Parnell* said, as the right hon. Gentleman, the Secretary for Ireland, had accused him of inconsistency, he felt bound to notice the charge; but first he would say a few words on behalf of the Magistrates and gentry of the county he had the honour to represent. From a personal residence amongst them, he knew that they were most anxious and able to perform their duties; they were above party motives, but they felt that they did not possess the confidence of Government. Now, as to himself, the plan he was about to recommend, had he continued in office, was not calculated to reduce the home force, but he thought the military in the colonies might be diminished by several thousand men. He desired that the efficiency of the army might be fully kept up, and had no intention to take one regiment from Ireland, yet, upon these grounds, the right hon. Gentleman had accused him of inconsistency when he asked Government to support the Magistrates of Queen's County.

Mr. *Leader* could not have suspected that any person who objected to coercive measures for enforcing the payment of tithes, from the fear of creating disturbances, would propose the strongest of all coercive measures—the Insurrection Act—for the purpose of maintaining the tranquillity of the country. He trusted that a Whig Government would never entertain a doubt that the Insurrection Act ought to be the very last remedy applied. He was pleased, indeed, at having seen the Secretary for Ireland recoil at the idea of governing Ireland by Insurrection Acts. Force was the recourse of a bad Government, and the only Government which could hope for security and peace, was that which rested its claim for support on the affections of the people. If among the working poor, there was a great insubordination, it was the duty of the Government and the resident gentry, to blend commiseration with rigour, and never to entertain the opinion that any cause of dissatisfaction in the people was beyond the power of relief and redress. As, however, Government had been taunted for not resorting to strong coercive measures, and not calling on the Legislature for a renewal of the Insurrection Act. He had no doubt the Government of 1832 would pursue the same line of conduct which the Whig Government pursued in 1807, when the north-west counties of Ireland, Mayo, Sligo, and others, were in a state of almost open insurrection, and when a French army was daily expected to make good a landing on the north-west coast of Ireland. Under these circumstances, deputations waited on the Duke of Bedford, and the then Lord Chancellor of Ireland—the late Mr. Ponsonby, urgently requesting that the county of Sligo should be proclaimed. The answer of the Duke of Bedford was—"whatever the civil power, aided by the army and the police, can accomplish, must be tried, and must fail before I can permit the Insurrection Act to be resorted to," and the Lord Chancellor assured the deputations, that when the Magistrates had done their duty in apprehending offenders, Government would do theirs in prosecuting them to conviction, and that Special Commissions should never be wanting when there were offenders to try. A Special Commission was soon afterwards sent down, and the Magistrates were compelled to find out that there were other modes of suppressing disturbances than by the Insurrection Act.

Mr. *James Grattan* deprecated the introduction of the Insurrection Act into Ireland, and was sure it was only by an act of co-operation amongst the gentry themselves that the country could be quieted, and peace restored. The police force had been introduced into Ireland to prevent the necessity of a recurrence to the Insurrection Act, and if that force was cordially supported in its exertions, by the gentry, the ordinary laws, being properly enforced, were amply sufficient to maintain the tranquillity of the country.

Mr. *Ruthven* said, that instead of increasing the military force, it would be much better to endeavour to conciliate the people. With respect to what had fallen from the right hon. Gentleman as to the conduct of Lord Anglesey, that Nobleman's behaviour, on a recent occasion, did him credit both as a soldier and a gentleman; although it might tally with the right hon. Gentleman's feelings to characterize it as a mob concession. It was only a short time ago, that fault was found with the noble Marquis for being too military in his operations; but when a man was determined not to be pleased, he viewed every thing done by his opponents with a jaundiced eye. He knew there were men who were desirous to see the Lord Lieutenant lead his soldiers against an unarmed people; but if hon. Gentlemen wished to benefit their country, they would adopt other measures: such as imposing a tax upon absentees, and endeavour to revive that feeling of kindness between all classes which was consequent upon the Lords of the soil living upon their land. He wholly disapproved of anything like coercion being adopted. The epithets which had been applied to a people who were more easily to be governed by kindness than by the bayonet, he strongly deprecated.

Mr. *Henry Grattan* had been turned out of the Representation of Dublin, yet he must complain that the right hon. Gentleman, the member for Harwich (Mr. Dawson), should have called the inhabitants of that city a rabble. The right hon. Gentleman had left his place, or, in answer to the terms of reprobation he had applied to the noble Lord at the head of the Irish Government for appearing on a day of public rejoicing with a shamrock in his breast, he would have told the right hon. Gentleman that his late Majesty George 4th, contributed not a little to his popularity by wearing, on his entrance into Dublin, a shamrock as large as his hat.

Petition laid on the Table, and ordered to be printed.

MALT DUTIES DRAWBACK.] Mr. Francis Baring brought up the Report on the Malt Drawback Bill.

Mr. *Cumming Bruce* said, that anxious as he was to oppose this measure by every means in his power, he did not think that he should be justified, after the somewhat lengthened discussion which had taken place on it last night, in endeavouring to renew that discussion on the present occasion. He, therefore, merely rose in consequence of the erroneous statement which had appeared in all the papers of this morning, of the course which he had felt it his duty to pursue. In those usual organs through which the debates of this House were given to the public, he was represented as supporting the measure of his Majesty's Government, and only regretting it did not go further. Now, it would be in the recollection of such hon. Members as did him the honour of attending to what fell from him, that he opposed the measure as unjust to the malt distilleries of Scotland—as likely to be injurious to the revenue—as hurtful to the agricultural interests of Scotland—and, on still higher grounds, of the fatal effects which would result to the morals of the Highlands, if, by its enactment, the system of illicit distillation, now so happily suppressed, were again called into activity. Having received strong representations from many persons in Scotland against this measure, and having, in answer to them, expressed his concurrence in their views, and his determination to support them in Parliament, he was naturally desirous that the unintentional mis-statement of his opinion and conduct on the occasion of last night's debate, should not go uncontradicted.

Mr. *Stewart Mackenzie* begged to corroborate the statement of the hon. Gentleman who had just sat down. With regard to the probable effects of the Bill, he was convinced that it would produce in Scotland all the evils anticipated from it.

The Report agreed to.

HOUSE OF LORDS,

Monday, April 2, 1832.

MINUTES.] Petitions presented. By Lord PLUNKETT, from 1,500 Inhabitants of Liversedge, in favour of the New Plan of Education for Ireland:—By the Marquis of LONDONDERRY, from the Inhabitants of Broadmills, against it:—By Lord WYNFORD, from Sir Harcourt Lees, for the Repeal of the Catholic Relief Bill; and against the Irish Reform Bill:—By the Duke of WELLINGTON, from the Corporation of Queenborough, against the Reform Bill:—By the Marquis of SLIGO, from the Inhabitants of Roslea, Drum, and Balla. By the Earl of RADNOR, from the Landholders of Ballamakenny; and by the Duke of LEINSTER, from the Inhabitants of Athy, for the Abolition of Tithes and Church Rates:—By a NOBLE LORD, from the Distillers of Elgin, against the Reduction of the Drawback on Malt Spirits.

PLURALITY OF BENEFICES.] The Archbishop of Canterbury moved the Order of the Day for reading the Pluralities Bill a third time.

Lord *Suffield* said, it was his intention to have proposed an amendment in this stage of the Bill; but, on further consideration, recollecting that the Amendments he had proposed on a former occasion were rejected, he had resolved not to trouble their Lordships by proposing any Amendment upon the present occasion; but he could not suffer the Bill to pass without bestowing his parting benediction on the measure. He deeply regretted that, on an occasion when so much was pretended to be done, so little was actually effected: and he was convinced that the public would not be disposed to receive the Bill with satisfaction. The noble Earl at the head of his Majesty's Government had treated this Bill with great kindness, and had said that it was calculated to do good. Such being the case, it would be but fair on the part of the right rev. Prelates to meet the noble Earl in the spirit of reciprocity, and look with a degree of affection on the Bill of much more importance which the noble Earl had so lately introduced to their notice. With reference to the present Bill, he would take the liberty of referring their Lordships to certain documents he had brought together, because when a measure of this kind was proposed, which professed to remedy gross abuses, they must look to the disease to be cured, and the nature of the remedy, in order to understand whether it would answer the purpose intended. In that point of view he must observe, that the Bill would hardly alleviate the symptoms, much less cure the disease. He was not ashamed to confess that he was now better informed on the subject of pluralities than when he formerly mentioned the matter. He had received much information from correspondents, and had had access to several books and other documents: from these various sources he would furnish some details, which, he thought, would deserve their Lordships' consideration. A right rev. Prelate was pleased to say, on a former evening that his information had not been obtained from very pure sources; but some of his correspondents were known to be highly respectable. Indeed, there was one who was also a correspondent of the right rev. Prelate; he, therefore, presumed his testimony would not be objected to—he alluded to the rev. Edward Hull, who had published a letter to the right rev. Prelate on this subject, and who was a person of great learning and irreproachable character. He had availed himself of the information contained in this gentleman's letter to the right rev. Prelate, for the purpose of showing how the present system worked. He said,

'In consequence of this license for pluralities, and of the non-residence of the clergy, and from other causes, according to the Bishops' returns in the year 1807, in 11,164 parishes there were only 5,040 (query 5,080) resident incumbents, of whom some were only partially resident. The Earl of Harrowby, in his speech of the 18th of June, 1810, said, that, of these 5,080 virtually resident incumbents, only 4,412 were legally resident, 152 living in the parish, but not in the parsonage; 176 living near the parish, but not in it; and 304 exempt from residence, on account of cathedral or college offices, many of whom might probably be resident part of the year. Calling the number of parishes, therefore, in which there were resident incumbents 5,080, the number of parishes without resident incumbents was 6,124; and this non-residence, the Earl of Harrowby justly remarked, did not arise from the small value of the benefices, and their consequent inability to support resident incumbents; since, upon 7,167 of the richer benefices, 3,611 incumbents were non-resident. Thus, it appears that there were absent from one benefice, because they resided upon another, 1,797; the number, therefore, that must have been absent for other reasons must be 4,327—making together the whole number of 6124. Of these 632 were non-resident for satisfactory reasons: and 3,695 were non-resident for want of a house, or for want of inclination to reside.'

Here he could not refrain from drawing their Lordships' attention to an advertisement which he had taken from a Norfolk paper, in order to show how desirable Church preferment, which called for the performance of no duty, was considered. The advertisement related to an offer for sale of a perpetual advowson of a living producing 650*l.* a-year, and it stated, that "the church is gone to sea." As some of their Lordships might be at a loss to know what this meant he would inform them—that the sea had made considerable encroachment on many parts of the coast of Norfolk, and the land on which this church stood was now under water. The value of this living was, therefore, enhanced by the circumstance of there being no church; and this was the way in which Church property was recommended when on sale, by the value attached to it, in consequence of there being a total absence of any duties to perform. Formerly there was a small penalty for non-residence, which penalty was increased by the 43rd, and 57th of George 3rd., and the residents increased in consequence of that alteration; but the number of non-residents, on account of pluralities, gradually increased; the number of non-residents in consequence of holding pluralities, at the former period was 1,797; while it appeared, by a recent return, that the number now was 2,100. The right rev. Prelate expected, by some process, which he did not profess to comprehend, that, by limiting the distance to thirty miles, the number of those non-resident on account of holding pluralities would be reduced from 2,100 to 700. But he would ask their Lordships, whether, it was possible, when there were no less than 1,000 individuals absent from their livings, in consequence of having cathedral or collegiate duties to perform, and who never would be resident, that such could be the result of this Bill, and whether such a practice could be allowed to continue, consistently with the principle on which the Bill was founded? It might be urged against him, that he was now, in effect, declaring himself hostile to pluralities altogether, when he proposed the continuance of them by one of the amendments which he offered to the House but a day or two ago. He allowed that he had done so, but his proposition went to an extent not liable to abuse. And, if he had erred on that occasion, it was in good company, and he had high authority to bear him out. By the Act of 37th Henry 8th power was given to unite contiguous parishes; the Act of 27th Charles 2nd empowered the uniting of churches in corporate towns; and an Act of the Commonwealth, passed in the year 1654, gave the power to unite two or more parishes, which, singly, were insufficient to afford a maintenance for their clergy. Bishop Burnet, in his denunciation of pluralities, excepted contiguous livings, when both livings could scarcely maintain one incumbent, and where one could do the duty. Dean Prideaux also proposed a bill to restrain pluralities, in 1691, and said, the evil was not in the holding one small living with another in the neighbourhood, but of holding two great ones at a distance from each other. There was no novelty, then, in his proposition, and nothing inconsistent with his dislike of pluralities. Having failed in his efforts to improve this Bill, by limiting pluralities to such circumstances, he now found himself compelled to show the iniquity of them altogether, by referring to what had been said against them by some of those who were ornaments to the Church. Mr. Hull's letter, which he had already quoted, said:—'Because an 'abuse has grown into an established 'custom, it is said it must be the greatest 'possible injustice to correct it. Is the 'injustice to be forgotten which is done 'to the inhabitants of those parishes 'which pay tithes to a non-resident incumbent, owing to their being deprived of 'the advantages which these tithes were established for the purpose of procuring 'them? They are thus robbed in things 'both spiritual and temporal, and the evils 'which arise from this injustice overbalance a hundred-fold the inconvenience 'which would arise to private families from 'the total abolition of pluralities. Was the 'Legislature guilty of injustice when it 'increased the fine inflicted for the non-'residence of incumbents, and also when it 'passed a law to raise the salaries of curates? If ecclesiastical benefices are regarded in the light of private property, 'these Acts interfered with private property quite as much as would an Act to 'abolish the system of pluralities.' He must here observe, that Mr. Hull served the curacies of two parishes for 60*l.* per annum, that were six miles apart, and the livings were worth 1,000*l.* per annum. Mr. Hull had also informed him, that, in the county of Suffolk, in 1819, there were nine adjoining parishes without resident incumbents, eight without resident curates, and, in one of them duty was performed only once a month. Mr. Hull went on to quote the opinion of the good Bishop Bedell, who said, 'Plainly I 'do think thus—that, of all the diseases 'of the Church in these times next to that 'of the corruption of our Courts, this 'of pluralities is the most deadly and 'pestilent.' And he mentioned the severe reflection which this practice drew from a witty man—'When (said he) such betrayers and abandoners of that trust 'which Christ purchased with his own 'blood, found good and faithful curates 'worthily performing the obligations of 'the pastoral care, the incumbent should 'be saved by proxy, but be damned in 'person.' Our ancestors, then, were opposed to pluralities, as they passed statutes against them, which were always evaded by the power of dispensation. At the time of the Reformation, when the Papal authority was abolished, the power of dispensation was transferred from the Pope to the King and the Archbishop; and prevented the complete reformation of the Church, as it still continued to prevent the reform of abuses. In saying this he meant nothing disrespectful to the most rev. Prelate: he spoke only of the system. Bishop Burnet called the power of dispensation a relic of the manifest corruptions of Popery. His object was, to better the condition of the poorer order of the clergy. It was with that view he framed the propositions which he had the honour to submit to their Lordships, he thought it necessary, also, to show that his principle of relieving the poorer clergy was sanctioned by precedent and high authority. It was advocated in 1736 by the great Lord Hardwicke. In 1801, Mr Whitebread urged the propriety of a better distribution of Church property. In 1810, Lord Holland proposed to relieve the poor clergy by taxing rich benefices. Having contended against pluralities, it was perhaps but fair that he should advert to the reasons advanced in favour of them. Bishop Hooker approved of pluralities on three grounds: The first was the great number of parishes, and the impossibility of finding a sufficient number of learned men to perform duty in them. The second ground on which Hooker defended pluralities was, that they afford clergymen an opportunity of residing in Bishops' families, which were schools of gravity, discretion, and wisdom; and the third ground was, the necessity of establishing clergymen in the houses of the nobility, who thought it beneath them to attend the parish Church. These were the apologies which Hooker advanced for pluralities; but the right rev. Prelates would hardly avail themselves of such statements in these days. Their Lordships would be very sorry to have it supposed that they considered it beneath them to attend their parish churches. He had also heard it said, as an apology for pluralities, that a good curate would answer every purpose for which an incumbent was required. It was quite evident, however, that a poor curate was incapable of performing the important duty of administering to the temporal wants of the clergyman's flock. Again, it was said, that the good which resulted from the learning and assiduity of the pluralists more than counterbalanced the evil of non-residence; as if, as Dean Prideaux observed, "by saving one man's life, you have a right to kill two." On this point he was happy to have the authority also of a known friend to the Church, and one to whom the right rev. Prelates acknowledged the Church was much indebted. On the 21st of May 1813, the Earl of Eldon, in opposing the Stipendiary Curates Bill, said—"Why not enforce the residence of the incumbent by declaring, that if he did not reside, he should forfeit the living."* It was also said, that high prizes were necessary in order to tempt noblemen's sons to enter the Church. Admitting, for argument's sake, that the connexion of the nobility with the Church was advantageous to the establishment, still it was more important to adopt measures which would enlist the affections of the people in support of the Church, than to pursue an unpopular course, in order to meet the selfish views of such of the Aristocracy as looked forward to the high prizes which had been spoken of as a provision for their children. He could not conclude without once more expressing his extreme regret that a more efficient measure had not been brought forward; and he believed that, when the public had an opportunity of considering this Bill, they would participate in his regret. He earnestly wished that the most rev. Prelate had adopted the suggestion of withdrawing the Bill for the present, and introducing a more efficient one on a future occasion. The public would not be satisfied with anything less than the total abolition of pluralities, the union of small contiguous parishes, and a better appropriation of the revenues of large livings. If these reforms were effected the Church would attain that place in public esteem it was most desirable it should possess.

The Bishop of *Durham* would not have troubled their Lordships, had it not been for the gross misrepresentations which had been circulated respecting the extent of pluralities in his diocese. But being on his legs, before he entered into that subject, he would say, of a subject much discussed—namely, annexing *commendams* to Episcopal Sees, that he was of opinion, that several improvements might be made in that; but, at the same time, he must remind their Lordships that they belonged to the prerogatives of the Crown, and were not in the hands of the Bishops. It was, in his opinion, for the Ministers to propose these improvements, and to carry them ıto effect, not the members of that body) which he had the honour to belong. Vhat, however, made him wish to address ıeir Lordships was, a letter in *The Times* ewspaper of Friday last, in which, mongst other exaggerations, it was stated ıat the Bishop of St. David's, who was lso Dean of Durham, derived an income f 12,000*l.* a-year from his See and plu- ilities. This was not correct; nor did ıe income of that right rev. Prelate mount to two-thirds of that sum. The ext case that was referred to was that of ıe Bishop of Exeter, Prebendary of Dur- am; but it was well known that he re- gned a living which he held *in commen: am*, and that this prebend was given to im by the Crown in lieu of it, though it 'as inferior in value. The Bishop of ristol was also a Prebendary of Durham, ut he, too, had given up a living of greater alue, that of Bishop Wearmouth, than ıe one which was conferred upon him. Vith regard to the Bishop of Chester, lso, it was matter of notoriety that he had acated a large living. These things did ot concern him (the Bishop of Durham) ıey were all the gifts of the Crown, and ıey were as unexceptionable as any *com- endams*. The next in the list was the on. and rev. Dr. Wellesley. He did not now what the Chaplainship of Hampton ourt, which Dr. Wellesley was represent- l as holding, was worth; he believed its alue to be very small, and he knew that was the intention of Dr. Wellesley to de- ote himself exclusively to his Prebend of urham, and the rectory of Bishop Wear- outh, which were so contiguous as to ıable him to fulfil efficiently the duties of oth. He now came to the instance in hich he himself was most interested, that f Mr. Archdeacon Thorp who was stated) have no less than eight benefices to his ıare, viz., "Prebendary of Durham, Pre- endary of Brecon, Archdeacon of Durham, ector of Ryton, Rector of Easington, haplain to the Bishop of Durham, Prin- pal Warden of the Durham University, ıd Trustee of Lord Crewe's Charity, with house at Bamborough;" a goodly assort- ent truly, but which he must reduce to vo benefices only, as he would explain. Ir. Thorp was not, nor ever had been, his ıaplain. He was an entire stranger to m, when he was appointed to the diocese; ıd was the Rector of Ryton only. He ıd afterwards given him a Prebend of urham. He had also for some time acted gratuitously as official to the Archdeacon of Durham, who, from his advanced age, was unable to discharge the duties of the office. On the Archdeacon's resignation last December, he appointed Mr. Thorp his successor. The rectory of Easington was an impropriate rectory, constituting the endowment of the Archdeaconry, and which, at the present moment, Mr. Thorp actually held with his stall and the Rectory of Ryton. But he had already in their Lordships' House, a Bill to enable him to separate the Rectory of Easington from the Archdeaconry, for the purpose of making it a spiritual benefice with cure of souls, and annexing, in lieu of it, that prebend which Mr. Thorp already had in possession. As soon as this could be completed, Mr. Thorp necessarily would resign either Easington or Ryton, and be in possession of his stall and one rectory only, being precisely circumstanced as he was before his acceptance of the archdeaconry, and deriving from that no additional emolument whatever. That he was not, nor ever had been, his chaplain, he had already mentioned; and his promotion of him to the archdeaconry, was solely on the ground of his acknowledged worth, there being no individual in the diocese more universally esteemed, nor any, he believed, who could have been so unanimously approved of as decidedly the fittest person to fill the office. As to the Wardenship of the Durham University, that was as yet *in nubibus* only, though he hoped the Institution would in due time come forth and prosper. At his request, Mr. Thorp undertook the office provisionally, and to continue as long as circumstances may require. The office, however, he undertook gratuitously; and by so doing relieved the institution in its infant state from a considerable burthen it must otherwise provide for. His situation, as already a prebendary, enabled him to do this, and he need not say how greatly it redounded to his credit. With respect to the last appointment named, that of a trustee to Lord Crewe's Charity, it was almost ludicrous. This office had no emoluments attached to it. The trustees were chiefly appointed from the Chapter, the Bishop having no concern in it. The house, Bamborough Castle, well known as one of the noblest remains of antiquity in the kingdom, was kept up at the expense of the Trust; and one or other of the trustees occasionally occupied it for a few weeks, to superintend the local purposes of the charity. To represent this as an ecclesiastical benefice was utterly absurd. As well might he be called a pluralist, by being a governor or trustee of any public charity whatsoever. Yet such was the attempt to represent as an enormous pluralist, one of the most estimable clergymen in the kingdom. The last case required but few words. It was that of Mr. Gilly, described as "Prebendary of Durham, Vicar of Norham, near Berwick, and perpetual Curate of Crossgate, Durham." Mr. Gilly resigned his perpetual curacy in Durham, on taking the vicarage of Norham, which was a chapter living. He had, therefore, only his prebend, and Norham vicarage, dividing his residence on each in nearly equal portions. He ought, perhaps, to apologize for wearying their Lordships with these details. But really such gross and unfounded representations seemed to call for some notice, and, as in some degree connected with himself, he had felt them the more strongly. With respect, however, to pluralities in general, he might add, that he believed there were fewer of them, in proportion, in the diocese of Durham than in any other. He had never yet given a living in plurality in the diocese, nor intended to do so. And he might also say of his clergy, in general, that they were a valuable body of men, attentive to their duties, and ready to adopt any improvements that might be recommended; he had only to add that the letter he had noticed was signed Dunelmenses. If the information he had thus gone through really emanated from a Durham correspondent, all he should say was, that the misrepresentations it contained were the less excusable.

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* Hansard, vol. xxvi. p. 297.

Lord *King* said, the right rev. Prelate had endeavoured to show that at least the part of the Church connected with Durham was not overpaid, and that it presented an instance of remuneration only for services performed. They might certainly have been deceived respecting the emoluments of certain parts of the Church of England, but it by no means followed that the system was a good one. The yearly value of the deanery of Durham was, it appeared, less than they had imagined; it had been estimated at 12,000*l.*, but it produced only 8,000*l.* a-year; but they had not yet been able to learn the real value of the "golden stalls." As they were promised a valuation,
he trusted they would soon be favoure
with an accurate account of the revenue
of the See of Durham. He contended tha
the Bill was partial, inasmuch as it woul
not interfere with the Bishops themselve
He considered the Bill smelt of Jesuitis
—it was one of those samples of To
legislation which aggrandized the few a
the expense of the many. He thought i
was very short-sighted policy on the pa
of the Church to bring this Bill forwar
Better leave matters as they were, tha
show what a miserable bit-by-bit Refor
the Church would consent to. One of th
arguments urged in favour of pluralitie
was the necessity of having high prizes a
rewards for extraordinary merit. In orde
that these high prizes should be given t
those who deserved them, he had, on
former evening, proposed to insert a claus
enacting that pluralities should be hel
only by the persons who obtained hig
honours at the Universities. This, he wa
told, was the worst test of merit he coul
possibly have fixed upon. He called upo
the right rev. Bench to name any test
merit they pleased; but they had me
tioned none, and, therefore, he feared th
it was not intended to bestow the hig
prizes upon the most worthy. It was sai
that there was no harm in pluralities whe
curates were provided to execute the duti
attached to the livings. If curates we
sufficiently paid for the discharge of the
duties, all the money which the incun
bents who appointed them received, was
much more paid than was necessary f
the execution of the duties, and shou
either be paid to the State, or allowed
remain in the pockets of the people.
was now said, that there would be a ne
valuation of Church property. Why w
not this begun when the See of Derry w
vacant? He understood that Ministe
wished to reduce the emoluments of th
See, but that there was an insurmountab
objection to the measure on the part of t
Bishops.

The Bishop of *Bristol* said, that as
had been alluded to by his right r
brother, he begged to state that it h
always been a subject of regret to him th
the living of Almondsbury had been a
nexed to the See of Bristol: he was anxio
to give it up; and was only restrain
from so doing by the consideration t
the revenues of the See would be reduc
too much. The fact was, the curate
this living was better off than the rect

e was to be paid 250*l.* per annum, to-ether with rent, taxes, and so forth; for iere was no glebe-house, and the parish as, in all respects, badly circumstanced, id returned no more than 700*l.* a-year.

Earl *Grey* regretted the tone in which s noble friend had addressed their Lord-iips, during the discussions on this Bill. e thought that the thanks of their Lord-iips were due to the dignitaries of the hurch, for the disposition which they had iown to meet public feeling in favour of ie reform of the abuses of the Church, by ie introduction of the present Bill, which id originated as, in his opinion, all such easures should originate, with the head the Church. The most that could be ɔjected to the Bill was, as he had stated a former occasion, that it did not go far iough. That, however, was not a reason r opposing the progress of the measure. appeared to him that there was no round for asserting that the Bill was amed with the view of protecting the terests of the Bishops, and that the amers of it had avoided doing more than iey were absolutely compelled to do. He ould not support the measure if it de-rved that character; but, seeing in the ill the evidence of a sincere desire on the art of the Church to reform the abuses hich were complained of, and believing iat it would be a considerable step wards reformation, he had given, and ould continue to give, it his warmest sup-ort. His noble friend had, on many oc-asions, condemned the system of plural-ies, but his objection was not a reason r opposing the Bill, which nobody could eny went some way towards the correc-on of that evil. He looked upon the ill as evidence of a sincere desire on the art of the Church to remedy the abuses justly complained of in the establish-ent, and as an earnest of its intention to arry reform further whenever a favourable pportunity should occur for doing so. he most rev. Prelate's proposition for a ew valuation of Church property was by o means the consequence of any discus-on which had taken place with respect to iis Bill, for very shortly after he had en-red the Ministry, the most rev. Prelate formed him that he intended to move r the appointment of an Ecclesiastical ommission for the purpose of making a eport on the general state of Church roperty, with a view of introducing some nprovement on that subject. He was very glad that a right rev. Prelate had taken an opportunity of exposing one of those shameful exaggerations by which the public mind was abused. He was somewhat implicated in the charge which had been brought against the Bishop of Exeter in the publication which had been referred to. At the time that right rev. Prelate was appointed to his present See, he held a very valuable living. As this living was a cure of souls, it was not thought fitting that a Bishop should hold it *in commendam*, and, therefore, the right rev. Prelate exchanged it for a prebend of Durham, which was a much less valuable preferment. He was a party to that arrangement, which he thought was perfectly blameless. The right rev. Prelate had given a most satisfactory answer to the charge which had been brought against the rev. Mr. Thorp. It appeared that that gentleman held only two preferments instead of eight, as had been asserted in the newspapers, and no one who knew his high deserts, and the exemplary manner in which he discharged his duties, could think that he was overpaid. He would conclude by expressing a hope that the reform of Church abuses would be continued until the Establishment should be permanently based on the affections of the people.

Bill read a third time, and passed.

HOUSE OF COMMONS,

Monday, April 2, 1832.

Minutes.] Bills brought in. By Mr. Ewart, for Abolishing the Punishment of Death in certain Cases, and substituting a Lesser Punishment in lieu thereof:—By Mr. Spring Rice, to facilitate the Recovery of Tithes in Certain Cases in Ireland, and for the Relief of the Clergy of the Established Church.

Returns ordered. On the Motion of Mr. George Dawson, of the Minute of Treasury, authorizing the Payment of 1,000*l.* to Mr. Telford, for Expenses incurred in his Survey for supplying the Metropolis with Pure Water:—On the Motion of Mr. Warre, of a Letter addressed on or about the 17th of March last, to the Hon. Mr. Stewart, Secretary to the Treasury, by the Directors of the Grand Junction Water Works.

Petitions presented. By Mr. Strutt, from the Inhabitants of Macclesfield, for a Repeal of all Taxes on Knowledge communicated through the Medium of the Press:—By Sir Charles Coote, from the Parish of Clonenagh, for the Abolition of Tithes:—By Mr. James E. Gordon, from Darlington, against the New Plan of Education for Ireland:—By Mr. Crampton, from the Inhabitants of Leigh, in Elliogarty, for a Repeal of the Tolls on the Road from Leigh to Thurles.

Tax on Hemp.] Mr. Alderman *Thompson* presented a Petition from the merchants, ship-owners, and others, of the City of London, on a subject of so great importance, that he regretted that none of his Majesty's Ministers were now in their places. The petitioners prayed that the duty at present levied on hemp should be reduced to the same amount as that imposed upon flax. The duty on the first article was 4*l.* 13*s.* 4*d.* per ton, while on the latter it was only 1*s.* 8*d.* for the same quantity. He begged to state, that there were three sorts of hemp: the first clean, worth about 33*l.* per ton; the second, outshot, worth about 28*l.* per ton; and the third half clean worth 25*l.* per ton; yet the three sorts although so much differing in value paid the same duty. The cheap sort was used in the manufacturing of sacking; the grounds on which the petitioners relied, rested on a promise held out to them some time since by Government, when it contemplated the taking off the bounty on the export of linen, which bounty ceased in January last, and amounted to twenty per cent *ad valorem.* The consequence was, that those who were engaged in the linen-trade, by losing that bounty, were entirely excluded from the use of any of that material in the manufacture of linen; and he was informed that a certain quantity of hemp was necessary in the manufacture of linen adapted to the South American market. In a trade carried on for many years, such a state of things materially affected the capital of those engaged in it. The loss tended to lower the rate of wages, and to throw a great number of persons out of employment; which of itself, was a subject highly deserving the attention of Government. Although the income of the country, as compared with the charges upon it, was nearly equal; yet, when it was considered that this duty last year did not produce more than 40,000*l.*—that for many years past it had been gradually decreasing—and that there was a prospect in the present year of a still further decrease, he should say, both on the grounds of policy and justice, this duty ought to be reduced. But the manufacturers of linen were not the only parties interested in this case; the shipping-trade was materially affected. Foreign cordage was imported, placed in bond, and allowed to be purchased for the purpose of being sent abroad, or to the colonies; and although it was supposed to be used solely for commercial purposes, there was nothing to prevent British Captains, so soon as as they had passed Gravesend, from rigging thei ships with this cordage. This was in fact constantly done and the consequence was, that the English ropemaker suffered the loss of a considerable portion of his trade, while, at the same time, the duty pressed most severely on shipowners engaged in the coasting-trade. Whose vessels mus be fitted up with English cordage at a increased expense of 10*l.* per ton, cause by this heavy duty on hemp. He considere it also necessary to state, that while th quantity of hemp imported into this country had been decreasing, the quantity imported into America had been increasing and in a similar proportion the quantit of cordage and linen manufactured ther had increased. It was evident that thi country would be deprived of a considerab portion of its linen trade, if a reductio in the duty of hemp did not take place Hemp was so necessary, that he truste this impediment to its use would be removed. A strong case had been mad out for reducing the duty; and the shipowners had a right to claim from Government every concession that could b made, in order to enable them to compet with foreign shipowners.

Mr. *Hume* said, he held in his hand petition from the ropemakers of Londo to the same effect as the petition ju presented. He begged to remind th House, that a pledge had been given b the Government in this House, at th time the Reciprocity Bill was passed, t take off this duty—a duty producing on 40,000*l.* annually; and, to obtain this pa try sum about 5,000 ropemakers, abo the metropolis only, were suffering th severest privations. Only one-fifth them were employed, and that at reduc wages, while the people of the Unit States, from procuring the article untax were enabled to supplant us in the Sou American markets. Under such circur stances, and considering the injury o shipping interest was also sustaining fro the same cause, he did hope Ministe would take an early opportunity to repe so obnoxious a tax, which produced small a sum to the revenue and caused many industrious people to be thrown c of employment.

Mr. *Robinson* had formed part of deputation which waited on the no Lord (the Chancellor of the Exchequ on this subject, and from what then tra spired had hoped the Government wo have taken it into their consideration, and that the duty would have long since been repealed. The duty was productive but of a trifling amount, and had the effect of pressing very heavily on the labouring classes.

Mr. *Horatio Ross* most cordially supported the prayer of the petition, but as he purposed to bring on a motion on the subject in a few days, he would reserve himself for that occasion.

Mr. *Ewart* entirely concurred in what had fallen from the hon. Gentleman who had spoken on the subject, and supported the petition. The United States were gradually getting the whole trade which depended on hemp into their own hands, and were even beating us in our own markets owing to the tax.

Petition laid on the Table, and ordered to be printed.

EDUCATION IN IRELAND.] Mr. *James E. Gordon* said, he held in his hand a Petition from a very small but influential body of clergymen in the diocese and county of Cork against the new system of national education in progress of being forced upon the country by his Majesty's Government. The petitioners stated, that they had for several years been engaged in promoting education upon a principle which enabled them to combine the advantages of public support with private contribution; that in availing themselves of legislative assistance they were not required to compromise their principles as Christians and Protestants by sacrificing the Word of God, which they considered the only true basis of national education; that public support was no longer attainable but at the expense of a sacrifice of their principles, which was a condition to which as Christians and clergymen of the Church of England, they could not submit. The petitioners, moreover, dissented from the part of the Government plan of education which provided, that the doctrines of the Church of Rome should be taught in the schools, and they stated, that the substitution of garbled extracts for the whole Bible must be offensive to the God of the Bible, who had taught us by his inspired servants that all Scripture was profitable. They also believed, that in sanctioning the use of Romish Catechisms they would become implicated in the guilt of teaching the doctrines which these Catechisms inculcated. For these and similar reasons the subscribers prayed that the Legislature would take the premises into its consideration, and withhold all support from the plan of his Majesty's Government, and every other plan which did not assume the Scriptures as its foundation. In this prayer he heartily concurred, and he trusted, that the Ministers of the Crown would not any longer persevere in a system which was so obviously opposed to the Protestant sense of the country. In referring to the clergy of Ireland, as connected with education, he should avail himself of that opportunity to direct the attention of the House to the position in which many of them were placed by the encouragement which had been given to lawless aggression upon the part of an intolerant and domineering priesthood. He held in his hand a letter which he had that day received from a friend in the West; and as it was of consequence that the House and the country should know something of the perils by which the clergy were threatened in the conscientious discharge of their duty, he should read a part of it to the House. It was from a curate, labouring in one of the disturbed counties, to a friend; and although he was at perfect liberty to mention the name of the individual he did not think it safe to do so, in which he was sure the House would concur with him. Should the information, however, be questioned, he was quite ready to show the letter to any Gentleman in that House connected with the Irish Government. He thought it right to premise that the writer had under his management three or four schools in connection with one of the Scriptural Societies; that these schools were chiefly attended by Roman Catholics, and that they continued to prosper in spite of every effort which had been made to detach the children from them. That meritorious and persecuted individual thus described his situation:—'Our new priest and his amiable coadjutors hold me up every Sunday to the 'people in the Synge style as a purchaser 'of children, and assert that I am allowed 'by the Hibernian Society for my expenses. I had a long conversation with the 'priest yesterday, in which I denied the 'charge of bribery, but assured him of 'my fixed purpose to induce as many of 'his flock as I could, to send their children 'to me. He then thought to alarm my 'fears by saying that he was sorry that I 'should be the person whom he must de-

'nounce, but that it was his duty, and 'that he feared the consequences might 'be such as those of the last year. What, 'I replied do you mean bloodshed and 'murder? Yes was his answer. I said, 'that I was fully prepared for all consequences, and should cheerfully resign 'my life in the cause of the Lord, and that 'I should not be deterred by his threats 'from fulfilling the ministry which I had 'received from the Lord Jesus Christ.' If the House would wish to know what was meant by the "Synge style" alluded to, he (Mr. Gordon) would acquaint such of the Members as were ignorant of the fact that Mr. Synge, of the county of Clare, a gentleman whose principles, character, and respectability rendered him an ornament of society, and whose only offence was a determination to educate the poor in a knowledge of the Scriptures, was denounced Sunday after Sunday by an incendiary priest, and held up as a mark for the aim of the assassin. In due time these denunciations had their effect. Mr. Synge was waylaid, his servant murdered behind him, and seven shots lodged in his own body, from the effects of which he was now lingering out an afflicted existence. Was it to be expected then that those men, who had the courage to do their duty and were subjected to the same denunciations, would be otherwise treated? And was it to be endured that a Protestant clergyman, for no other crime than the faithful discharge of the duties of his office, was to be held up to the fury of the assassin? Yet such were the circumstances in which these men were placed, and he should never, while he possessed the privilege of a seat in that House, cease to hold up such instances to the observation and to the execration of the House and the country.

Mr. *Wyse* said, that at least the name of the parish where this transaction had occurred ought to be given to the House; but he thought this system of intimidation was not to be attributed to the proposed system of education, but to those discords between landlord and tenant so long existing in Ireland. He begged to take the present opportunity of denying, on the authority of one of the body, a statement which had been made on a former evening by the hon. member for the county of Londonderry (Sir Robert Bateson), that the Presbyterian Seceding Synod of Ulster had met or petitioned against the plan of education proposed by Government. On the contrary, they were ready to come forward by petition, or otherwise, before the House, in its support

Mr. *Shaw* said, that there was one very good reason for the hon. Member who presented the petition withholding the name of the person from whom the letter which he had read proceeded, for he would, by so doing, have subjected him to a danger which the hon. member for the county of Tipperary was well aware those whose cause he advocated were totally exempted from.

Mr. *James E. Gordon*, on moving that the petition be printed, observed, he had withheld the name of his correspondent for reasons which must be manifest to the House.

Petition to be printed.

Trustees of Heriot's Charity (Scotland).] Mr. *Robert A. Dundas* presented a Petition from the Trustees of Heriot's Charity, Edinburgh, praying that they might be heard at the Bar of the House, by Counsel, to ascertain whether they were entitled to compensation for the loss of certain superiorities, the right to enjoy which the House had sanctioned in 1827, and now sought, by the Scotch Reform Bill, to abolish in 1832. Though the time was fast approaching when the Scotch Reform Bill would come before the House, and the subject of the present petition then be discussed, yet he thought it his duty to move—"that the petitioners be heard by Counsel at the Bar of the House."

The *Lord Advocate* admitted the case stated in the petition to be one of considerable hardship, owing to the circumstance of the superiorities being in the hands of a Corporation instituted for charitable purposes. The feudal right of superiorities had, by accident, and by an abuse of the true principles on which Representation ought to be founded, obtained a considerable money value. As trustees of a charity, the petitioners had a right to make every fair claim on behalf of such charity; but he did not conceive they could have any claim for compensation for a pecuniary loss which was the result of a great abuse.

Mr. *Dixon* observed, that this was a case of peculiar hardship, and well deserved the attentive consideration of the House.

Mr. *M'Leod* was of the same opinion; but, if they were to admit the claim of compensation in this instance, there would be no end to the claims of a similar character.

Sir *George Clerk* said, that this claim for compensation was for a perfectly different species of property from any that was known in this country. He had a petition from an individual on the same subject, and he thought that individuals had a claim to compensation as well as such public bodies as Heriot's Hospital. He hoped that the Government would find some means of lessening the loss which these individuals would suffer. He thought compensation should be paid to all those who lost superiorities, and that the compensation should be paid by those who were to receive the new franchise. Cases happened in which gentlemen sold their estates, reserving the superiorities, for a less sum than they would have fetched with the superiorities. It would be hard on such persons to take away the superiority from them, and confer that vote for which it was valuable on the man who had bought the estate but had not paid for the superiority.

Petition to be printed.

MALT DUTIES DRAWBACK.] Mr. Francis Baring moved the third reading of the Malt Drawbacks' Bill.

Mr. *Horatio Ross* said, he had already felt it his duty to oppose this Bill in a speech of some length, and he should, therefore, decline to trespass on the House further than to show that he had not changed his opinion as to the impolicy of the Bill. With that object in view, he would move—"that the Bill be read a third time this day six months."

Mr. *Stewart Mackenzie* rose to second the Amendment. He opposed the third reading of the Bill on the ground that it was not drawn up on the Report of the Committee which had sat on the subject, but appeared to be drawn up with the view of raising an additional revenue by imposing a duty of sixpence a gallon on malt spirit distilled in Scotland. He believed it would, if passed into a law, have the effect of diminishing a revenue which had been increasing of late years, and that in the proportion of from 300,000 gallons, to above 1,000,000 in the two or three last years. Another, and scarcely less prejudicial, effect of it would be, that, instead of a wholesome liquor being drank, as was now the case, a bad spirit distilled from raw corn would be substituted. He denied that the fraud alluded to as having been so successfully practised on the revenue was peculiar to Scotland or its distilleries; and he feared that Government would be soon compelled to retrace its steps as to this Bill, from the facilities it would afford to illicit distillation.

Mr. *Cutlar Fergusson* would have thought, from the manner in which this discussion had been conducted, that the question had been made one of comparative hardship, as between the Irish and Scotch. He, however, submitted, that the Irish distillers could complain of nothing but the superior industry and skill. The Scotch could certainly produce spirits distilled from malt and from raw grain, at a lesser cost than the Irish, but it did not follow that on this account, any difference of taxation should exist; for he could enumerate articles that were more cheaply produced in Ireland than in Scotland, cattle for instance, yet he would not, on that account, propose any impost on cattle. The inquiries instituted by Government on this question, had not given rise to a single proof of fraud, and yet this Bill was founded upon the assumption of fraud. The impolicy of the measure was equal to its injustice, and it was a characteristic not only of the present, but of the past Government—to make continual change and alteration; by which men of extensive capital became losers beyond all calculation from the manner in which the business they might be engaged in was affected by alteration in the law. He fervently hoped that a time would come when manufacturers might safely rely on the investment of capital, the erection of machinery, and the completion of other arrangements being made without risk of discomfiture and loss, from some new-fangled enactments. The hon. Member concluded by avowing his determination to vote against the third reading of the Bill.

Mr. *Dixon* repeated the arguments used by him on a former occasion, contending that Government had pursued this measure without proof of a single fraud having been committed against the existing law. As a question of revenue, what could be expected to be gained by the proceeding? Nothing; and the whole drift of the proposal was, to give a bonus of 150,000*l.* to the raw grain distillers, who would be thereby enabled to raise the price of their spirits 6*d*. per gallon. It was clear that in pressing this measure the Irish distillers must have an object beyond what met the eye. As to the morals of the country, which on these occasions were always taken into consideration, he would assert, that smuggling would result from this measure, and the evils of smuggling in England were nothing as compared to the evils of smuggling in Scotland. For his own part, however, he lived on the borders of the Highlands, and if this Bill should pass into a law, he, as one of the Magistracy, would not take the trouble to see whether the revenues were collected, or the contrary. The gentry would be driven to sell their interests, or else to connive at the practices of their tenants.

Sir *George Clerk* supported the Motion for the third reading of the Bill; although he certainly would not do so, if he thought the measure would produce the evils predicted. In his opinion, they owed it to the fair trader, both in Ireland and in Scotland, and they owed it to the revenue, to alter the existing system.

Sir *George Murray* opposed the Bill. He thought it was most unjust, and he was persuaded the revenue would not be benefitted by its adoption.

Lord *Althorp* said, that if he thought that this measure would in anywise tend to the encouragement of illicit distillation, he would be one of the last to give it his support; but he begged the House to remember, that illicit distillation had not been so much put down by the allowance of this drawback, as by the reduction in the price of spirits; to which he might add, that the whole of the evidence went to prove that it was impossible, under the present system, but that fraud on the revenue must be practised.

The House divided on the Amendment: Ayes 41; Noes 82—Majority 41.

Bill read a third time; the passing being postponed, that an opportunity might be afforded of considering some new clauses.

List of the AYES.

MEMBERS FOR SCOTLAND.

Agnew, Sir A.
Arbuthnot, General
Blair, W.
Bruce, C. C.
Cumming, Sir W.
Davidson, D.
Dixon, J.
Fergusson, R. C.
Gillon, W. D.
Gordon, Hon. W.
Grant, Hon. Colonel
Hay, Sir J.
Halliburton, Hon. D.
Johnston, A.
Lindsay, Colonel
M'Leod, R.
Morison, J.
Murray, Sir G.
Pringle, A.
Rae, Sir W.
Scott, H.
Sinclair, G.
Stewart, Sir M. S.
Stewart, E.
Trail, G.

MEMBERS FOR ENGLAND.

Ashley, Hon. H.
Bentinck, Lord G.
Best, Hon. W.
Eliot, Lord
Estcourt, T. B.
Goulburn, Rt. Hon. H.
Gurney, H.
Hardinge, Sir H.
Holmes, W.
Lennox, Lord A.
Peach, N. W.
Peel, W.
Ross, C.
Somerset, Lord G.
Stormont, Lord
Ure, M.

TELLERS.

Mackenzie, S.
Ross, H.

Scotch Members who voted against Mr. Ross's Amendment.

Clerk, Sir G.
Johnston, J.
Loughborough, Lord

In the House, but declined voting.

Balfour, J.
Campbell, W. F.
Lord Advocate
Maitland, Hon. A.

MUTINY BILL—COMMUTATION OF SOLDIERS' PENSIONS.] Sir John Hobhouse moved the Order of the Day for the House going into a Committee on the Mutiny Bill.

Sir *Henry Hardinge:* This is, I believe, the best opportunity that I can take of performing what I conceive to be a great public duty; and the importance of the subject will, I trust, be my justification in occupying, for some time, the attention of the House; and when I state that the subject relates to the interest of 80,000 old soldiers of the army, and including the Ordnance pensioners, to 91,000 soldiers, involving an expense to the public, which annually exceeds one million and a half in money, I trust that the welfare of so large a proportion of the military community, and the financial importance of the subject, will be my best excuse for the course I am about to take; and if to these considerations be superadded the policy of taking care that it should be clearly explained to the army that the interests of its veteran soldiers are duly considered by Parliament, and that this House will be no party to any arrangement by which the fruits of a soldier's arduous military life are to be lost to him, for the mere sake of economy, unless the soldier receives a just equivalent for his pension, then, I trust, that this discussion will have the effect either of making the War Office more careful in commuting these pensions, or in clearing up a great deal of misapprehension which exists among the soldiers on the subject, and which is getting stronger every day. In either of these cases, I shall be repaid for any trouble I may take, and in this result will be found a full apology for having introduced the question to the House. I do not mean to impute any blame to the War Office on this matter—at least, in the invidious sense of the word "blame"—and as the right hon. Baronet (Sir Henry Parnell) is not in the House, I shall make my comments without any harshness; but I am obliged to say, that I do consider the late Secretary-at-War, by his eager though well-meant desire to save the public expenditure, has, in this transaction, done so improperly at the expense of the old soldier. Last Session, in my place in this House, I took an opportunity of telling the late Secretary-at-War in public, in drawing his attention to this subject, that I considered him as the protector and guardian of the old soldier, and that, in my opinion, there would be the greatest danger in allowing these men to sell their pensions, unless they were guarded in every possible way from the effects of their own improvidence; that the mode he was then adopting in June, 1831, was contrary to that which I had in view when Secretary-at-War; that I protested against it, and begged it to be understood as being no part of any plan of mine. In order to make the House fully understand the position in which these men are placed, it will be necessary for me to state the part that I took during the time I was in the War Office. By the Act which was passed in 1806, commonly called Mr. Windham's Act, there is no power given to commute soldiers' pensions, except in the case of foreigners. In the year 1830, an Act of Parliament was passed, to allow British soldiers to commute their pensions, and for this reason: in the course of the investigations I made in 1828, I found there were 20,000 men on the Pension List, who, at the time they were pensioned, were, on an average, thirty-one years of age, and ten years' service. Many of these men were receiving pensions on account of slight disabilities, from which they had subsequently recovered; and as the amount of their pensions, on an average, was sixpence a day, and inadequate for the support of their families, many of them were desirous of commuting their pensions, and emigrating to those colonies in which they had probably served when soldiers, in the hope of bettering their condition. This desire was frequently brought before the War Office, by applications from the Overseers of the parishes to which the men belonged, as well as by the men themselves. But I was obliged to refuse these applications, first, because the War Office had no power to commute them; and, secondly, because I was unwilling to do so, unless there were good and sufficient grounds for believing that the men would be better off in the colonies; in short, I did not think I should be justified in taking such a step, unless there was a safe prospect that it would be for the benefit of the soldier, and cost the public nothing. The only instance in which I did give my consent to anything like a commutation, was in the case of a soldier belonging to the parish of Shipley; and that arose from a personal application having been made to me by the hon. member for Shoreham, who stated that it was the wish both of the man himself and his parish, that he should be allowed to emigrate, and that if a portion of his pension was guaranteed, the parish was ready to advance the necessary sum for his outfit. Under these circumstances, I did give the desired guarantee: the man went out; and he has since written home that he is contented and happy. I do not, therefore, mean to say, that a commutation of pension would not, in many instances, be very advantageous. But what I now complain of is, that instead of making them cases of exception, or of careful selection, the War Office has, in the years 1831 and 1832, been allowing the commutation by wholesale: the men have been allowed, without sufficient inquiry, to sell their pensions at four years' purchase, and the result now is, that there are 200 or 300 old soldiers about the metropolis, and probably 500 or 600, including Ireland, and other places, in a state of absolute destitution, having failed to embark on board the ships in which they had paid for their passage, by which they have not only forfeited the passage-money paid out of this commutation, but having spent the remainder, are now either destitute of the means of existence, or are thrown a burthen upon their parishes. I shall subsequently show, that about 1,500*l.* of the money of these old soldiers has been lost to them; but before I enter into these details, I must beg leave to call the attention of the House to the state of the Pension List, when I entered the War Office. Mr. Windham had granted very liberal rates of pensions—in some instances, too high; but still they had the effect which he had contemplated, of making the army more effective, by obtaining a better class of men, and rendering the service more popular throughout the country. And when we consider, that in this country the troops are not raised by conscription, but by voluntary enlistment—and that even in time of peace, the recruiting of an army of 95,000 men requires each year from 12,000 to 14,000 men—I think it will be perceived that it is highly important that such a feeling of popularity as that which I have mentioned should be encouraged in the country. Besides, when hon. Members complain, that, in their opinion, not only the rate, but the mode of remuneration, is too expensive, they should remember that a large portion of it would, of necessity, be borne by the country in another shape, if their allowances were not made in the army Estimates. It is true, such of the men as are of English birth would go to their parishes, and become a burthen upon the poor-rates; while the Irish and the Scotch, not so fortunate, would be left in a state of poverty and want. And surely it would be unjust for half the veterans in the army to have a refuge to which they could resort, while the other half, equally brave, equally deserving of national protection, would be deprived of such benefit. I, therefore, think that I am fully justified in saying, that these men have a full claim to be honourably and fairly (I do not say extravagantly) remunerated by the country; and I, therefore, must take this opportunity of bearing my grateful testimony to the late Mr. Windham, whose rates of full pay and pension to the soldier have so materially improved the army, that his plan has, in a great degree, realised his intentions; and that, had he lived, the defects in the system would long ago have been remedied. But, independently of the justice of the question, of not driving these men, after a life of hardship spent in the service of the country, to wring from the parish officer a bare and reluctant subsistence, instead of an honourable stipend from the State, in the shape of a reward well earned, let me also ask whether there is not some policy in having a check upon these 91,000 pensioners, who have not only been thoroughly trained to arms, but who are ready at a short notice, to be embodied in the public service? It was only last year that many of these very men were enrolled as constables, usefully assisting in quelling riots and disturbances; and, in the year 1821, ten veteran battalions were raised from the same source, all of which, have done good service to the State, before and after they were pensioned. I, therefore, say, that, by this system of military pensions, we make the most judicious arrangement for the provision of the soldiers: whilst we not only relieve the parishes from a partial burthen by throwing the men at large upon the public, but we restrain these men, by the obligation of a pension, from becoming dangerous members of the community. I will now call the attention of the House to the progressive increase of the pension-list, which to me appeared to be so important a branch of military finance, that, in 1828, I made it an anxious subject of my investigations. I found that, in the year 1814, at the termination of the war, the army had exceeded 250,000 regulars, and the pensioners in that year were 31,000. From the year 1814, to the year 1825, discharges from the army, chiefly by the disbandment of corps, were made to the amount of 182,000 men; and in these eleven years of peace, the pensioners had increased from 31,000, to 81,877 men, being an increase of 50,000 pensions; and, allowing for the casualties which took place in the list, that 75,000 men had been pensioned. It is proper that I should here observe, that this increase of the Pension-List is, to a great extent, attributable to the votes of this House, owing to the uncertain principle on which it has from year to year added to, or taken from, the force of the army; for instance, in the year 1821, 10,000 or 12,000 veterans were embodied and added to the army; in 1822, 21,000 men were reduced; then, in 1823 and 1824, additions were made to the army; so that these fluctuations of reducing the force one year, to increase it the next, had this effect—that the soldier discharged and pensioned one year could not the next be called back into his regiment, but was replaced by a recruit, who, in his turn, became a fresh claimant for a pension. These alternations, it is evident, could not fail of being very expensive. In the year 1828, when I entered the War Office, I viewed the question in this way—There are two armies—the one an effective army, consisting of 95,000 men, and the other a non-effective army, consisting of 85,000 men. Then, the question was, what number of men will the effective army discharge and pension, and throw each year upon the non-effective army; and what number of casualties will occur on the non-effective army, to the relief of the Pension-List? I found that, taking the average of five years—that is, from the year 1823, to the year 1827—the average number of men pensioned was 3,500, and the number of casualties was 3,000; so that the pension-list showed this extraordinary fact—that, in the fourteenth year of peace, and after the large disbandment of corps had ceased, that there was, upon an establishment of 95,000 men, in profound peace, an increase each year of 500 pensioners. I saw nothing to prevent this increase of numbers from going on, and I felt the necessity of applying a remedy to a state of things by which the non-effective army, in a few years, threatened to exceed the effective army. It is necessary that I should here advert to the warrants that were issued by Lord Palmerston and Lord Farnborough prior to 1828, and which, in my opinion, have materially tended to improve Mr. Windham's Act. The warrant of 1818 was, I believe, chiefly made at the suggestion of my Lord Farnborough, the Chairman of the Chelsea Board, by his office of Paymaster General, and who most assiduously and ably, with his business-like talents, attended to these duties. Among other points, the warrants abolished the right of registry. As some hon. Gentlemen may not be aware of its meaning, I will state that "registry" signifies, that a soldier, being discharged after seven or fourteen years service, with or without a pension of sixpence a-day, may go home, and, after remaining there for a period twice as long as that which would be necessary to turn a period of fourteen or twenty-one years' service in his regiment, may come back again, and claim one shilling a-day by this right of registry. Another judicious point contained in the warrant of 1818 was, that East and West India service should be abolished, by which two years in those climates were to reckon as three years' service; and a further most important change was, that the soldier, when discharged, should not receive a pension larger than his full pay; and before any pension for a disability could be granted, it was to be certified that it had been contracted on service. But though these and other provisions contained in the warrants are highly praiseworthy, they did not, in my opinion, remedy the mischief; for it is a remarkable fact, that, for every pension allowed for twenty-one years' service, there are three allowed for disability before that period, which, to a great extent, explains the immense increase of the Pension-List. Mr. Windham's regulation allowed every man discharged for a disability, however slight, if he were unfit to continue his service, but able to earn his livelihood, to receive sixpence a day, and as almost every disability is contracted in the regiment on service, it was extremely difficult, under the warrant of 1818, to check the number of pensions, although, prospectively, that warrant would greatly reduce the amount. My object, then, when in the War Office, was to preserve the right of the old service soldier, and, at the same time, to do away with the mischief that had crept in, by which there were 20,000 men, who, when pensioned, were, on an average, thirty-one years of age. For this purpose, I pensioned the old and wounded soldier as high as I could, continuing Mr. Windham's high rates of allowance to the wounded soldier and service men, one shilling a day, and even, after twenty-five years' service, 1*s.* 2*d.* Another of the revised regulations was, to allow no soldier a permanent pension under fourteen years' service; but, if, within that period he was discharged for disability, he was to be allowed a temporary pension till he recovered, after which, he got no more pension; and no soldier after fourteen years', but under twenty-one years' service, can have a pension, unless the injury be permanent. The principle was, to award pensions in proportion to the service rendered. Another very important feature in the new regulations was, in the system which was introduced of free discharges. Formerly, if a man wished to obtain his discharge, he had to pay twenty pounds for it at any period of service; instead of this, I formed a graduated scale according to his service, from seven to fourteen years, lowering the price, until at last the price was as low as five pounds; after fifteen years' service, he was entitled to his discharge for nothing; after sixteen years' service, he was entitled to his discharge, and six months pay, and so on, with a view that the man might have enough either to go and settle in the colonies, or even to shift for himself in this country. The average age may be assumed at thirty-three or thirty-five years, when the soldier was in the vigour of his age, when, however, he had acquired discretion; and, as this indulgence of a free discharge, was to be given as a reward and a stimulus for good conduct, there was every reason to expect that the man would make his way in the world; at any rate, it was the same in effect as Mr. Windham's system of limited service, without its inconveniencies, restricted by the pleasure of the Commander-in-Chief, and regenerating the army, by replacing a man of seventeen years' service, who, in a few years, would have claims to a pension, by a recruit, having very distant claims. I also conceived it to be extremely desirable that the soldier should perfectly understand the position in which he would be placed by accepting his discharge, and I, therefore, took care to inform officers commanding regiments that they were bound to explain the whole of these circumstances to any soldier soliciting his discharge; and that no soldier should be allowed thus to accept his discharge, until after the expiration of thirty days for reflection, in order that he might not be induced to take an irretrievable step, contrary to his real interest, owing to any sudden caprice or disgust; and I required that these explanations should be stated on the back of the discharge, which the man was required to sign. The result of this has been, that the soldier cannot be taken by surprise; and I believe that I may state with confidence, that the soldiers, the army, and the public, have been benefitted by this system; in proof of which, it is worthy of remark, that the soldiers, before they were thus able to obtain their discharge, used to express great anxiety about it. Since this regulation they have by no means shown the same eagerness, as I can state—at least as far as my former regiment is concerned—the Grenadier Guards—that in two years about fifty men, having applied for their discharge, did, during the thirty days' interval, change their minds and remain. Thus the service is rendered popular to those who remain in it; or, if the soldier accepts his discharge, an impression is made throughout the country that the army is not a state of eternal servitude; and as this feeling formerly caused parents to dissuade their sons from entering the army, the new system will, I hope, assist the recruiting of the army, whilst it will relieve the public purse. The yoke sits easier on a man's neck when he knows he can throw off the burthen at his pleasure—and obedience becomes more cheerful when it is less forced. Now, Sir, I mean to contend, not only that these arrangements were judicious, as far as the policy of the army is concerned, but a prospective saving to the public of 57,000*l.* each year, is likely to accrue, if 600 or 700 men past fifteen years' service be discharged each year, but exclusive of expense. I do not, however, wish to rest the expectation of these benefits on my own authority. I shall, therefore, take the liberty of reading to the House the opinion expressed by the Commander-in-Chief on this subject:—

> " *Horse Guards*, 4*th Dec.* 1828.
>
> "The necessary reforms which you have suggested, have met with my entire concurrence and approbation, and I cannot refrain from expressing my satisfaction, that throughout all the arrangements proposed, there is nothing that can in any manner affect the just claim of the soldier, or diminish the rate of pension to men who have been wounded in the service of the country: the principle on which you have proceeded appearing to be to reward men whose services fairly entitle them to the assistance of the Government, and to relieve the public from the charge of supporting those whose pretensions are not such as to give them a well-founded claim to a pension."
>
> (Signed) "HILL."

This, Sir, was the opinion of Lord Hill in 1828; and, indeed, I might quote a still higher authority, but that I do not wish to trouble the House with too many details on this part of the subject. I am sure, however, that hon. Members will allow, that if I complain of the mode in which the War-Office is now acting upon my regulations, it is natural, in protesting against its practice, that I should explain what that system is, and that the amount of an estimate is as nothing compared to the welfare of 85,000 pensioners, who, although they entail upon the public an annual expense of 1,500,000*l.*, have vested rights, by Act of Parliament, which ought not lightly to be sacrificed. I have already referred to a prospective saving of 57,000*l.* each year by discharging men; and if we look to the effect of the new regulations, by which fewer pensions have been granted, I think we shall see that a larger prospective saving is fully made out. Instead of there being 3,500 pensioners added to the list, in the year 1830, according to the average up to 1827, there were only 1,598 permanent pensions granted, being a diminution of 1,900; to which, if the former excess of 500 more pensions than casualties be added, the real diminution of pensions granted, was 2,400. Now, taking each pension at the low average of 10*l.* a-year, on this transaction alone there will have been a saving of 24,000*l.* in 1830. In 1831, there were 1,678 permanent pensions granted, making a diminution of about 1,800, and affording to the public a saving of 23,000*l.* a-year. But it is necessary that I should here allude to another class of soldiers, who, having served twenty-one years, may wish, before they are worn out, to have their discharge from the service. According to the terms on which they enlist, it does not follow, that, because they have served that period, they are entitled to their discharge; on the contrary, they are bound to serve as long as they are able. But it seemed to me that it would be unjust if I did not allow as much favour of discharge to those who, probably because they were sober and temperate, were able to serve twenty-one years, as I did to those who had done less service to the country. The arrangement, therefore, that I made was, that these men should be allowed to go away on a pension of 10*d.* per day; for it seemed to me to be equitable, that in consideration of their obtaining their discharge a few years sooner, they should forfeit 2*d.* per day, and I was unwilling to tempt any old soldier approaching forty-five years of age to take a gratuity instead of a pension; because, as the line was necessary to be drawn, it was thought right to allow a man to go, when at thirty-five, able to take care of himself, but not to tempt him at a later period, when older, and more infirm, and entitled to a pension. I believe that the right hon. Baronet is prepared to dispute the economy of this part of my arrangement. I beg, however, to say, that I am prepared to show that there has been considerable saving in this transaction, and I am ready to enter into the figures connected with the calculation, though I must admit that there would be some little difficulty in introducing such details in the course of a debate like the present, setting that matter, however, aside for the moment, I say, that if I have shown that the Pension List has been reduced by 2,000 fewer men pensioned, being now less than half the former number, and if this arrangement is satisfactory to the army in general, and economical to the public, I think that the House will perceive, that in the regulations I had the honour to introduce, there was nothing to diminish the rights of the old soldier—nothing to injure the claim of the wounded soldier—and yet something beneficial to that true spirit of economy which is only desirable so long as it may be made compatible with justice. The only men against whom my regulations operate are those whose short service, in my opinion, do not entitle them to a pension. I have already stated, that there were not less than 20,000 men on the Pension List under thirty-one years of age; and, in order to show how extremely unmanageable the increase of that Pension List has been under the old system, I may state, that in 1817, Lord Palmerston, in a Letter to Lord Bathurst, which was laid before the Finance Committee, gave it as his opinion, that the number of pensioners, which then amounted to 64,000, had reached its *maximum;* and yet, in 1828, when I went into the investigation, I found that the number then was 85,000, being an increase of 21,000 men beyond the number in 1817 After what I have stated, I am satisfied the House will perceive the propriety of such an alteration in the system, as shall make the deprivation of pension fall on the younger soldier, who has not served fourteen years, instead of the old soldier. And now, Sir, I have come to that portion of my observations when I cannot help much lamenting that the right hon. Baronet, the late Secretary-at-War, is not in his place. Owing to his absence I shall not be able to say so much as I certainly should have said, had he been present. And in those remarks which I cannot help making, I shall endeavour to substitute the phrase of the "War Office," instead of that of the right hon. Baronet. I took an opportunity, last year, of expressing my disapprobation of old soldiers being indiscriminately allowed, by a War Office circular, in reply to their applications, to take a sum of money for their annual pension: the result of which, in many instances, has been, that the money paid has been squandered in public-houses, instead of being employed for the purpose of conveying the men to the colonies.

There is no class of men so reckless or so thoughtless as these old soldiers; and I think that it would not have cost the War Office much inquiry to have foreseen what would be the effect of the temptation so imprudently held out to these persons. As I have already stated, the result is, that many of these old men are in a state of absolute destitution, and 300 or 400 men have, in all probability, been thrown upon their parishes for relief; which could not have been the case, if the Government had not allowed them to make this commutation of their pensions, or had done it more cautiously; for, according to Mr. Sturges Bourne's Act, if any soldier comes to the parish for relief, that parish immediately has a claim on his pension. What, then, is the general effect of this War Office circular? For the sake of being able to introduce to the House a smaller Army Estimate, the parishes of England have been burthened in the most unwise manner; and a general feeling of discontent and dissatisfaction is felt in the army. Nor can it be said, that this has been done without due warning; for so long ago as last year, I entreated the late Secretary at War to take other and more advisable steps. His Majesty's Government does not seem to have paid attention to the truth of this proposition—that a system may, theoretically, look very well upon paper, but work very ill in practice: such has been the case here. Besides, Sir, I wish to ask by what right, or on what authority is it, that the Secretary at War issues a circular order, depriving the soldier of those advantages which have been granted to him by his Majesty's Regulation, approved and signed by the King? In the event of the soldier becoming a settler, according to the 46th article of the Regulation, it is provided that when grants of land, in addition to a free discharge, can be made in the colonies, the precise terms of the grant shall be clearly explained to the soldier before he receives his discharge; and that when he shall have been residing three months on his grant, and have been actively employed in clearing the ground, a quarter's pension, at 6*d*. a-day, shall be paid to him, which amount may be renewed from time to time, at the discretion of the Governor of the province, provided that, in the whole, it does not exceed one year's. The propriety of that Regulation has been corroborated by the Lieutenant Governor of Upper Canada; for, in a letter from Sir John Colborne to me, dated April, 1830, he says—'I am persuaded that the 'soldier should be encouraged to purchase 'his discharge. A careful man in this 'province might save money; his place 'may be supplied by a recruit for 10*l*., 'and if he has 10*l*. to start with, he will 'do very well. The deserters here are 'disgracefully numerous; but if encouragement was held out to the soldiers 'to settle, I am persuaded that the men 'would stop, for it would not be worth 'their while to run the risk of deserting, 'if a prospect was held out to them of obtaining their discharge.' This opinion was confirmed by a letter from the Assistant Adjutant-General of Lower Canada; and if this indulgence, if this aid of 6*d*. a-day, was thought necessary to enable a discharged soldier to live before the fruits of his labour could be reaped, why was it refused to the older and more infirm soldier, who, by selling his vested right, had not only a better claim, but had a greater necessity, from his age to this relief? And now, Sir, let me ask, what has taken place? After entering my protest last year against the plan of the late Secretary at War, I find on the 21st of June, 1831, a letter from the War Office, in which it is stated, that no soldier is to go from this country to the colonies, with a promise of land. In addition to which, this letter does not contain one word relative to the allowance of 6*d*. a-day, to which I attach the greatest importance; so that it appears that the regulations of the late Secretary at War are not only contrary to those of his predecessors, in this respect, but entirely lose sight of the promise made in the name of his Majesty, that additional advantages shall be allowed to the soldier, in the event of his becoming a settler. I can assure the House, that what I am now stating is no new opinion of mine. In a letter which I addressed to my right hon. friend, the late Chancellor of the Exchequer, in May, 1830, I state—'I cannot commute 'the pensions, because it is difficult to 'secure the parish; for, as the law now 'stands if the pensioner becomes a pauper, 'the parish is entitled to receive his pension.' And in another letter to the late Secretary for the Colonies, dated June, 1830, I state the same thing; besides which, the same argument was made use of by me last year in this House; and I, therefore, contend, that the Government has now no right to complain of my bringing this question forward. I shall now show hon. Gentlemen that I have abundant proof of the ill effects of these commutations; for instance seventy-eight pensioners were to have gone by the *Hebe* to Quebec; the vessel, however, sailed without them, and the captain received 459*l.* forfeit money—the men having refused to embark; on board another vessel, the *Mint*, 102 pensioners were to have embarked; the captain, in that instance, received 450*l.* forfeit. The captain of the *Science*, bound for Australia, received, in the same way, 200*l.* forfeit. The captain of the *Sovereign* 120*l.* In short, without troubling the House with further details, I am able to state that this avaricious speed on the part of the Government has been the means of putting about 1,500*l.* in the pockets of various captains, and of leaving about 400 or 500 men in a state of extreme destitution; indeed, I understand already that thirty or forty parishes have made application to Chelsea Hospital, and that the answer given has been, that the men have sold their pensions, and have no further claim. In order that I might not be proceeding on vague grounds, I have made some inquiries with respect to my former regiment, and I will take the liberty of stating to the House the cases of some of those who have foolishly acceded to the delusive offers of the War Office. One case is that of a man of the name of Bowling, who was discharged for consumption. This man did not embark; he has expended every farthing of the money, and he is now in a state of ruin. Another man was utterly unfit for emigration, for he had a diseased leg, and a contracted arm; another man blind; another man had lost his leg. Another case is that of William Gray, of the Grenadier Guards, who was discharged for defective sight, in 1821, and who is fifty-eight years of age. In my opinion the extreme age for emigration is forty-five; but I understand that the Government has allowed 700 men to emigrate who are past fifty, 100 past sixty, six or seven at past seventy, and actually one at past eighty years of age. Let me, however, go back to the case of Gray: he has a wife and four children; he received 22*l.* for his pension; he was to pay 12*l.* 5*s.* for his passage, that money was forfeited because his wife refused to go. The man himself, afterwards, was willing to go, but the War-Office would not let him emigrate, unless his wife went with him. Subsequently the woman, believing that she had ruined her husband and her children, attempted to destroy herself. At present, adversity has broken her desire to remain in her own country, and she and her husband are ready to go; but now the War Office says, "Yes, you may go, but you must find the 12*l.* which was forfeited to the captain." Is this the way in which British soldiers, after twenty years service, ought to be treated? This man, Gray, bore an excellent character. I know that he served in the Peninsula, and I believe that he served in Flanders. Surely, then, the War Office will do well to re-consider this case, as well as many others, more especially as the men may be made to refund by only allowing them half-pensions, till the commutation-money advanced to them is refunded, by which means the public will lose nothing. I am not surprised that men, who, in war, are ready for the forlorn hope, or for any desperate service, reckless of consequences, should, in peace, be ready to emigrate. But what I ask is, ought the War-Office to have been a party to this plan? Ought not the War-Office to have taken further and better precautions in favour of the old soldier? I protest against such a proceeding on the part of the army; it is a proceeding which cannot redound to the honour of Government; it is unjust towards the parishes; it is discreditable to the Ministry; it is converting the War Office to a broker's office, to drive hard bargains with old soldiers; and it is highly injurious to the character, the spirit, and the best interests of the King's service. I have no further observations with which to trouble the House, except to state that I intend to call for returns which will prove the statement I have made, after which I shall probably move some resolutions declaratory of what I think ought to be the sentiments of the House on the subject; or if I should be beaten in that, and other steps to remedy this mischievous system be not adopted by the Government, I shall move for leave to bring in a bill to replace these men in the position in which they were before this commutation was allowed.

Sir *John Hobhouse* regretted the absence of the late Secretary at War, who was much better able than he to give an answer to the statement just made. As the gallant Officer did give notice of his intention, and as that notice was placed on the Orders of the House, I should have thought it must have been obvious to my predecessor, that he would be the fittest person to give an answer to the remarks that would arise upon this notice. However, as the hon. Baronet is not here to answer for himself, I must endeavour to say a few words on the subject. In the first place I beg to say, that I am as deeply impressed as the gallant Officer can be with the great importance of attending to the well-being of the army; and though I have not, like him, had the good fortune of rendering service in that capacity to the country, yet no man can have a stronger feeling of the merit of the army in the field, or of the necessity of making proper provision for it out of the field. I do not know that it will be necessary for me to make much allusion to the different warrants to which the gallant Officer has alluded. With respect to the two first parts of his own warrant of 1829, I believe that no doubt can be entertained as to their utility; but, with respect to the third part, I may be allowed to say—more especially as the gallant Officer has himself alluded to a difference of opinion on the subject—that it appears extremely questionable, whether that part of the warrant is founded on a system likely to prove economical to the public purse. The question is as to the saving which arises from granting a reduced pension at twenty-one years, instead of waiting until after twenty-four years' service. The chance of getting rid of pensioners at the period of life at which soldiers are discharged—and I must say, that I am extremely sorry to speak on the subject in this almost inhuman manner—is not sufficiently great to make it worth while, on that account, to make the difference between the twenty-one years and twenty-four years' service. I am, however, by no means quite clear as to the result of the inquiry that is going on on this subject; but if, on looking to the facts of the case, it should appear that the public are not gainers, a change will be made. I know that an opinion at present obtains in the War Office, that it is doubtful whether this part of the plan of the right hon. Gentleman is so beneficial to the public as it was at first thought it would be. I am ready to admit that for some time it was found advantageous; but I am now sorry to be obliged to observe, that recently there has been a considerable increase in the Pension List, which has been imputed to the operation of the regulation of the right hon. and gallant Officer. The number of pensions, in the latter part of 1831, does not nearly tally with the number as quoted by the right hon. Gentleman, as having been granted in that year. I admit that, in the first half year of 1831, as compared with previous years, there had been a decrease; but in the latter part of the year there was a great increase. In the first six months of that year, 527 pensions were granted; in the latter half year 1,484, making a total of 2,021, which greatly exceeds the number stated by the right hon. Baronet. I should conceive that the right hon. Gentleman made his calculations in the first six months.

Sir *Henry Hardinge:* I took the average of the five years previous to my going into office; and I then took the period after this regulation was in force, including as much of 1831 as I had the returns for.

Sir *John Hobhouse:* I believe that the returns for the latter part of the year were not furnished until very recently. After this preliminary statement, I feel it necessary to allude more particularly to some of the observations that fell from the right hon. Gentleman. In the first place, with respect to the commutation of the pensions of the veterans which has been so much dwelt on by the right hon. Gentleman, I do not quite understand how he has arrived at the numbers. The returns at the War Office are only 1,581.

Sir *Henry Hardinge:* Is Ireland included?

Sir *John Hobhouse:* I believe that Ireland is included. The right hon. Gentleman, however, said, that the number amounted to 2,000.

Sir *Henry Hardinge:* I believe, if the right hon. Gentleman will refer to the noble Lord, the Paymaster of the Forces, he will find that upwards of 2,000 of the pensions of these veterans have been commuted, and paid by the Commissioners of Chelsea Hospital. Indeed, I believe the true number is 2,300; but as I wished to be within the mark, I said 2,000.

Sir *John Hobhouse:* From the documents which I have before me, this appears to me much more than the number actually commuted. At any rate, I believe many of those persons were anxious to avail themselves of this, and they were allowed to do so. I believe, indeed, that the Colonial Office were not prepared to take more at that time. I admit that it is to be lamented that the commutation money was given to those men, as many of them made a most improper use of it, and, instead of going to the colony, they wasted it in profligacy and dissipation. It should, however, be taken into consideration, that men brought from all parts to the immediate vicinity of London—and more especially soldiers released from the check of strict control—were not likely to be the most strict in their conduct. I am aware, also, that many bad men, who would take advantage of anything, availed themselves of this arrangement to act in the manner described by the right hon. Gentleman. I believe several of these men escaped from the ships when on the point of sailing, and there is no doubt, as stated by the right hon. and gallant Officer, that when their money was expended, they became chargeable to their parishes. If the circumstances should turn out as described, I do notdeny, that the Government ought to do something; at the same time, from the information received at the War Office, I have no reason to believe that the number of pensioners who have become chargeable to the parishes is so great as has been stated. I have a return from some parishes, and according to that, the total number appears to be seven, and among them two or three of the cases alluded to by the right hon. Gentleman. If, however, it should appear on examination, that the parishes have been so burthened, I can only say, that as at present advised, I shall take the same view of the case as the gallant Officer. Of course I do not pledge myself to anything, but I will inquire into the case; and if it should appear that the number is as great as has been stated, the subject must be taken into consideration, to see whether some remedy cannot be applied. I will add, however, to this statement, that as soon as the War Office was first made acquainted with these circumstances, they adopted much more precise regulations. I cannot, however, think that any blame is attributable to the War Office in consequence of the conduct of these men, for it is impossible for the ingenuity of man to devise regulations which bad and wicked men would not endeavour to escape from. I have before me a return of the number of cases in which it has been discovered that soldiers applying for pensions have sent in false affidavits of their ages and of the periods of service. The remedy for this evil must, of course, rest with the War Office, and I have no doubt that such regulations will be framed as to prevent the recurrence of this. There is no doubt, also, that the regulations, as to the granting pensions, require some alteration. I believe, from the documents on the Table of the House, that the average age of those who commuted these pensions is forty-five; the question is, whether this is not too early an age. It was suggested that the average age should be sixty, but it appears to me that that would be too late in life—and more especially in the life of a soldier—to become a settler in a foreign country. It is obvious, however, that whatever alterations or new arrangements may be made in this service, the War Office cannot have any other intention than to consider the interests of the soldier and of the country. Indeed, these interests may be considered as one; for, of course, anything which tends to increase the efficiency of the service must be advantageous to the country. With respect to the pensioners who were sent out to Canada for the purpose of being located, it appears from letters recently received at the Colonial Office, that they were going on extremely well, and had conducted themselves with the greatest propriety since they had been sent to those settlements. I believe when they first landed they were guilty of some irregularities and excesses; but this, perhaps, might be anticipated from this class of persons after a long and tedious voyage; but since that time they have conducted themselves with great steadiness. The greatest caution was exercised towards those persons who were more recently sent out, and great care was taken not to hold out expectations which could not be realized. We found that many of the men who were first sent out anticipated that they were to receive allotments of land, of a quality similar to that around London; and they were greatly disappointed, on arriving at Canada, to find that the land to be given to them was forest land. The Colonial Office have, in consequence of this, recently determined not to make grants of lands to pensioners who commute their pensions in this country, as it was considered to be often productive of evil and disappointment to hold out too great an inducement to the pensioners to commute their pensions. I do not know whether the right hon. Gentleman thinks it necessary for me to enter into further details on this subject. In conclusion, I can only repeat that the War Office hopes that every exertion will be used in those parts to improve the situation of the soldier, as far as can consistently be done—at the same time, that effectual checks are adopted to prevent the commission of fraud. I trust that the interests of the soldier will be looked after as they ought to be, as, by doing so, an important service will be rendered to the public. I will only add, that if the present regulations should appear objectionable, I am sure both the Government and the War Office would be happy to attend to any suggestions of the right hon. and gallant Officer, or of any other competent authority.

Mr. *Hume* differed from the view taken of the subject by the right hon. Baronet. He was of opinion that it was the duty of Government to give commutation allowance to pensioners anxious to emigrate either to New South Wales, or to Canada; and, as to age being an objection, he saw no reason for entertaining such a notion. On the contrary, a man of sixty, if he had a family, whom he was anxious to see comfortably settled, with a prospect of being remunerated for their labour, was, in his opinion, a proper settler, but the commutation money had been paid injudiciously. The pensioners should only have received a small proportion of it in this country, and been paid the remainder on their arrival in the colony. If, however, they had wasted what they had been paid, they must suffer from their own improvidence; and he should resist any proposition to place them again on the pension-list. The Government might, perhaps, be justified in giving them a further moderate assistance to enable them to emigrate according to their original intention, but nothing further ought to be allowed. He could not, however, forbear taking that opportunity of complaining of the large increase of pensions which had taken place since the year 1814. It was impossible to doubt that much misconduct had existed somewhere. No investigation had been gone into, for some time back, into this matter; and he believed some few of the non-commissioned officers in regiments, where false returns of the ages or services of soldiers recommended for pensions had existed, were punished; but he should be glad to know whether any superior officer who had connived at such a practice—if such a case could be found—had also been made an example of. He was also of opinion, that the rate of the pension should not be the same for services in peace as in war. This was a subject which, he trusted, would be taken into consideration by Government, and that his suggestion would be acted upon. He was ready, at the same time, to admit, that the right hon. and gallant Officer had done more than all his predecessors to improve the civil management of the army, in his capacity of Secretary-at-War.

Lord *John Russell:* In answer to the question of the hon. Member, I have only to say, that the inquiry he has alluded to, relative to frauds committed in making returns of the ages of men, is not yet finished, but I believe it will be completed in the course of a few weeks; of course, until then, it will be impossible to adopt any measure on the subject. In the course of the labours of this Court of Inquiry, it has been discovered that many soldiers have had pensions granted to them whose time of service was falsely stated in their discharges. With respect to the commanding officers of regiments conniving at this practice, I do not know that any such case has been discovered; but there, undoubtedly, has been great carelessness with regard to this matter. The hon. Gentleman suggested that there should be a difference between the pensions granted in times of war and peace; but if the hon. Gentleman had seen the state of the regiments when they returned from our foreign possessions, such as the Ionian Islands, Malta, or the West-Indies, and was aware of the sufferings the soldiers had to undergo in those places, he would not think that a difference of this sort should be made. I trust that no proposition of this nature will ever be sanctioned by the House, or that the suggestion will ever be acted upon in our service. I am sure that the severe service that some of our regiments have to undergo in our foreign possessions, is equal to anything that they suffer in time of war. With respect to the Pension List, have no doubt that the regulations adopted in 1829, by the right hon. and gallant officer, while Secretary at War, will tend materially to the reduction of the Pension List. I think that the plan of giving conditional pensions for one or two years instead of for life, will prevent many men from becoming a burthen on their country and will enable them to return to their duties with re-established health. Of course however, on this, as on other matters, a considerable discretionary power must be left to the Secretary at War. With respect to those men whose pensions are commuted, I will trouble the House with only one or two observations. The expense of passage was greater than was stated by the right hon. Gentleman, and a larger proportion was defrayed by the public. The hon. member for Middlesex is wrong in supposing that the whole of the commutation money is paid to the pensioners in London. A third of the money was given to each pensioner in London; a third was given to each man, by the master of the vessel, on his landing in Canada, and the remainder on his settling. I cannot help thinking, that, if this plan had been judiciously acted upon, it would have been beneficial both to the soldiers and the colony. It is not, however, surprising, when we consider the general character and habits of soldiers, that many of them did not behave with that degree of propriety which could have been wished, but it is gratifying to hear that, since their arrival, their behaviour has been exemplary in a high degree. I concur in opinion with the gallant General, that a considerable degree of the inconvenience arose from not giving the Commissioners of Chelsea Hospital a greater control. The Secretary at War alone had the power of granting pensions, and the only thing that was done at Chelsea was to pay them. I think that the Commissioners at Chelsea should have the power of remedying abuses when they discover them, instead of being obliged to apply to the War Office on the subject. I agree also with the hon. member for Middlesex, that great caution ought to be exercised in giving new pensions to those men, who squandered in so shameful a manner the money which they had received to go abroad. I think that, if this course were pursued, it would afford a very bad example. I think that one of the great advantages of the present mode of paying pensions to those men who have served their country so long is, that they are still continued under the control of the Commissioners of Chelsea Hospital, who have the power of withdrawing these pensions in case of misbehaviour. I shall only add, that I quite agree with that part of the statement of the right hon. and gallant Gentleman, in which, he stated, that no army in the world had to perform such severe service as the army of England. I think, therefore, that they are entitled to the consideration of the House, and that no time can be ill bestowed in considering what measures can be adopted, so that the soldiers may end their days as comfortably as possible.

Sir *Adolphus Dalrymple:* I entirely concur with the hon. member for Middlesex, that the country is under the greatest obligations to my right hon. friend, for the admirable arrangements he introduced into the War Office. I think also that the observations respecting the commutation of the pensions made by my right hon. friend, are deserving of the most serious attention. The present regulations are, of course, founded upon those of Mr. Windham, which were called into operation in 1806. That distinguished man was well acquainted with human nature, and, therefore, exerted himself to protect the soldier from the oppression of the War Office by those regulations. It appears, however, that the rate of commutation is directly in opposition to those regulations. It appears, that, according to the arrangements of the present Government, the commutation money given to the soldier for his pension, at any period of life, is equal to only four years payments of his annuity. I do not believe that this is acting upon a fair principle, notwithstanding this commutation is accompanied with a grant of land in the Canadas. It appears, however, that this grant is not to be continued, and, consequently, the value of the commutation is diminished. With respect to those who, after having availed themselves of the offer to commute for their pensions, refused to go to Canada, I think the right hon. Gentleman has not stated anything like the real number. I went this morning to the vestry-clerk of the parish in which I reside—namely, St. George's, Hanover-square — and asked him whether there were any army pensioners dependent on the parish; and he informed me that there were twelve or fourteen solely dependent on the parish, whose pensions had been commuted. I was also informed, that relief was often given to persons in the expectation of obtaining remuneration at the War Office, but, on going there it was not at all uncommon to find that the pensions had been commuted. The parish authorities are informed, that they have taken their money, and are no longer pensioners. I must say, however, that I think those who have commuted their pensions have been treated harshly, as many of them have received only 12*l.* out of 40*l.*, at which sum they agreed to commute their pensions. I think, at least—and I am sure that the hon. member for Middlesex will agree in this—that the men ought to receive the remuneration of the 40*l.*

Sir *George Murray:* I will not detain the House more than a very few minutes. I think that the principle of encouraging the emigration of soldiers is good and wise, but it requires the strictest care and management. It should be recollected, that, during the greater part of their lives, everything is provided for the soldiers, even to their food; and, therefore, it is not surprising that they should be improvident when left to themselves. It is not to me a matter of astonishment that these men should squander the commutation-money they received for their pensions, for most of them would think that the sums they received were inexhaustible. I have always considered the plan of commutation to be most excellent, when it can be combined with settling the pensioners in Canada, I think that a more beneficial class of settlers cannot be sent out to the colonies than these military settlers. I do not see why the system of making grants of land in the colonies to this class of persons should not be greatly extended, for I am sure that it might be managed in such a way as to tend to the advantage and defence of the colony. In Canada, for instance, they might be placed in the weakest points or those districts most open to attack, for instance, on the shores of Lake Ontario. If this plan were acted upon to any extent, you would have military colonies in those districts most open to the incursions of an enemy. I was glad to hear the right hon. Secretary state, that he was satisfied that the interests of the army and the public were the same, and I am convinced that no regulation could be adopted which is injurious to the army that would not also prove detrimental to the public. I cannot sit down without also expressing my satisfaction at hearing the observations which fell from the noble Lord, relative to the nature of the services performed by the British army. As regards the army, we may always be said to be in a state of warfare, for regiments are constantly being moved from place to place, and may be called upon, at a very few hours notice, to depart to the most distant parts of the world. I am sure that the country will never be induced to sanction the withholding pensions to men unless in time of war; for it is obvious that the service, in periods of peace, is almost equally arduous and dangerous in our foreign possessions as it is in time of war.

Colonel *Maberly:* I cannot agree with all the observations that have fallen from my right hon. and gallant friend opposite. I do not think that, it is expedient to appeal to the passions on a topic of this nature. I recollect that there are two sides of this question, and that the interests of others besides the soldiers should be consulted. The Pension List is most enormous; and if it goes on increasing at the rate it has increased for some years past, it will, I fear, become a question in this House whether we shall be able to keep up a standing army. My hon. friend, the member for Middlesex, has more than once recommended that the Militia should be called out more frequently, and even that that force should be increased, so that we might be able to dispense with a portion of our regular troops. This is in consequence of the enormous charge of the dead weight; and I fear that if this is not soon diminished, a feeling in favour of some arrangement of this nature will become more general throughout the country. If, by the adoption of any plan of this nature, we should lessen the efficiency of the standing army, we shall expose ourselves to the attacks of other nations, and lose all that influence we at present possess. With respect to the arrangements introduced, as to pensions, by the right hon. and gallant Gentleman, I am sure no one can appreciate the value of them more than I do, and I can speak practically as the commanding-officer of a regiment. I trust, however, that no time will be los before efficient measures are taken t reduce this enormous burthen. At pre sent, the amount of these pensions i above 1,600,000*l.*, being about one-fourt of the Army Estimates. I have hear many military officers assert, that, if thi evil goes on, it would be better not to allo any pensions, than to run the chance o diminishing the efficiency of the Britis Army. I think that the system of allow ing soldiers to commute their pension for the purpose of settling in the colonie is most excellent, and I hope that it wi not be lost sight of; but that such arrangements will be made, as to prevent the recurrence of the unfortunate circumstances which have been alluded to. My hon. friend, the member for Middlesex, said, he did not think that, even if a pensioner is between sixty and seventy, and has a family, he should not be allowed to commute his pension, and settle in the colonies. I do not dissent from this, but of course, the circumstances of each case must be taken into consideration; and, I think it would be found, in most instances, that these men do not generally go out for the purpose of providing for themselves, but rather, with the hope of making some provision for their posterity. I am convinced that, if proper care be taken, this plan may be made most beneficial to the settlers—most beneficial to the parish, by taking off the wifes and families of these pensioners—most beneficial to the country, in diminishing our present superfluous population—and most beneficial to the colony, in adding a most useful class of settlers, both in a civil and military point of view. I trust, that any partial failure will not induce my right hon. friend to abandon entirely this most useful scheme.

Mr. *Goulburn:* I certainly heard with some surprise the gallant Officer charge my right hon. and gallant friend with endeavouring to excite the passions of the House. I am satisfied that my right hon. friend had no intention of doing so; but it is impossible to touch upon this subject without, in some degree, exciting the sympathies of all. The gallant Officer said, that, if the Pension List is allowed to go on increasing, as it has done since the peace, it will be impossible for the country to continue to bear the weight of the present efficient standing army. I think that the conduct of my right hon. and gallant friend, when he was in office, at once shows that he was not indifferent to this subject. I am sure the gallant officer will admit that my right hon. friend exerted himself greatly to promote this object; but he is desirous that we should do so by means which are not liable to the objections which can be urged against the present plan. He objects to holding out an inducement to the soldiers to part with their pensions at a price much less than their value. He does not object to the principle of commutation; he objects to the manner in which it is carried into effect. At present, you tell the soldier that he shall not sell his pension to the man who will give him the full value for it, but that he shall sell it to the Government, who will not do so. I, therefore, agree with my right hon. friend in his objection. I understand, also, that the amount of the commutation has recently been diminished, as now no grants of land in the colonies are allowed; so that if a man is desirous of commuting his pension, he must do it at a great sacrifice. I am convinced that a system of this nature might be adopted, which would, at the same time, be beneficial to the soldier and the country; but the present plan, as has been clearly shown by my right hon. friend, is manifestly unjust.

Colonel *Evans* could not see any reason why the soldiers serving in the infantry should be put on a different footing from the cavalry soldiers. He did not think that the noble Lord had answered the observations of his hon. friend, the member for Middlesex, relative to making a distinction between times of peace and war, as to the granting of pensions. The noble Lord said, that many regiments returned from unhealthy climates: in cases of that sort an exception might be made; but he did not think the rule should be general.

Lord *Howick:* The right hon. Gentleman has stated that the soldiers have been defrauded of a part of their commutation money, in consequence of not having the grants of land in the colonies continued to them. Now, I am at a loss to understand how this objection can be urged, as the soldiers now will have grants of land made to them if they proceed as other settlers to Canada. The reason why the former system of giving each of these men grants of fifty acres each was not continued was, because the greater portion of them had not, when they arrived at the place of their destination, sufficient capital to cultivate the grant. It was considered, therefore, that the tempting offer of this grant made men go upon a more desperate enterprise, without being sufficiently aware of the nature of the difficulties they had to contend with. It appeared that most of these pensioners who went out from this country, anticipated that they should receive grants of cleared land fit for immediate cultivation—land such as is cultivated in England; but when they found that only forest land was granted to them, they manifested great surprise, and appeared to think that they had been deceived.

The right hon. and gallant Gentleman said, that, by pursuing this plan military colonies might be formed at the western points of our possessions; but I fear that we never could send out a sufficient number of men to make this suggestion available to any extent. According to a despatch from Quebec, of November 24th, the general conduct of these men has been excellent; and, although some slight excesses occurred on their landing, no other complaints had been made against them.

Mr. *Goulburn* said, of course the grant of land was a part of the commutation; for a soldier would hardly commute his pension for four years' purchase without this grant.

Order of the Day read.

On the question that the Speaker do leave the Chair,

Sir *Henry Hardinge* said, I am sure that the House will agree with me that the declaration of the right hon. Gentleman is satisfactory, as far as it goes, and that this discussion will have produced some beneficial results, if it causes justice to be done to some of these individuals, as in the case of Gray, and makes the Government more careful and more humane in the mode of commuting pensions; more particularly as it is admitted by the right hon. Baronet that sufficient precautions were not taken in the first instance. It is evident, from the details I have given the House, that there has been no examination by medical officers in the case of several of these sick and mutilated men, of their capacity and fitness to undertake the difficulties of struggling with a severe climate in a wilderness. That this inspection by medical officers may have taken place latterly I have no doubt; but the blame originally is with the War Office, for allowing such men to commute at all. I trust that in these, and all justifiable cases, a man will be replaced on the Pension List, although he may have taken a commutation. When I state that 300, 400, or 500 men have failed to embark after receiving commutation, I have been asked by the hon. member for Middlesex, why should these men be allowed to continue pensioners? What I proposed to the right hon. Baronet was, that any pensioner who had failed to embark—if any justifiable reasons were found for his not doing so, on investigation of his case, might be allowed to be replaced on the Pension List, after a reduction had been made from his pension of the amount of commutation money he had received. The hon. member for Middlesex has said, that it would be a gross encouragement to the commission of frauds. Now, my proposition was, not to replace the man on the Pension List, and, as a matter of course, thus allow him to enjoy the fruits of any fraud; but as in the case of a man of the name of Gray, to replace him so that the public should lose nothing, by stopping the amount of the commutation received from the pension. The rule of never replacing a man on the Pension List after accepting commutation, if strictly applied, would be found, in some cases, to be extremely hard. For instance, there is a case in point mentioned to me by an officer whom I met this day. A man in the Dragoons, whose name I do not recollect, accepted a commutation of his pension: he had taken his passage on board a ship, but the vessel was prevented from sailing for Quebec by the state of the weather; between the time of his taking his passage and the period of the sailing of the vessel, he was taken ill, and was prevented from joining his ship; and yet this unfortunate man's pension is taken away from him. If the hon. member for Middlesex would inquire into cases of this description, I think he would at once admit the necessity of replacing these men on the Pension List. There would be no loss to the public, and I really think it would be nothing but an act of justice and fair play to these poor fellows. The right hon. Baronet must have made some mistake, when he alluded to the diminution of the pensions in 1830 and 1831. He alluded to months: I went through the years, and showed a diminution of pensioners in 1830, as compared with 1827, of 1,900. Again, in the year 1831, only 1,678 permanent pensions were granted; being a diminution of 1,800. I suspect, as compared with the average of five years, the right hon. Gentleman must have mixed up the temporary pensions in his account; the difference between the two years, 1830 and 1831, is, in reality, only eighty men, and is so trifling, that it is impossible for him to deduce any argument from it as to the working of the new regulation. The right hon. Gentleman says, that he conceives that that part of the regulations I introduced, by which a soldier, after twenty-one years' actual service may accept a reduced pension of 10*d.* a-day, instead of that given him by Mr. Wyndham's Act, has failed in practice, as being too expensive. Now, I am prepared, whenever the right hon. Gentleman chooses to go into the question, to prove, by my calculations, that a saving of 15,000*l.* or 20,000*l.* each year will be effected on this point alone—assuming 500 men each year to take the reduced pension. As it would be very difficult, indeed, to enter into the calculations of an actuary in this House, even if I had the papers here, he will agree that it is better not to enter into the subject now; but, I beg to repeat, that a great saving will be, and has been, effected on this point. Even if there were not a saving, I do not see how the right hon. Gentleman could allow junior soldiers, of between fourteen and twenty-one years' service, to receive their discharge with a gratuity, refusing the same indulgence to the old soldier who has served one-and-twenty years. The soldier who, by sobriety and regular conduct, has preserved his health and bodily powers after that period of service, would think it a case of great hardship that he should be deprived of the benefits which are bestowed upon his juniors. With regard to the observations of the hon. member for Middlesex, on the subject of frauds detected in the regiments, I have only to say, that they were very numerous: they were investigated with the greatest strictness. The cases of the men were brought before the Commissioners of Chelsea Hospital, at which the late Paymaster General, a most kind-hearted and intelligent individual, presided. The Commissioners are composed of both civil and military officers; and I can only say, having attended that Board as regularly as my other avocations would permit, that, during the two years, I think it was impossible to carry into effect the regulation to its strictest extent, that, because a man had committed a fraud, to which the laxity of the system in the orderly-room was too great a temptation, he was to be deprived of his pension altogether. I will state a case which will show how impossible it was for the Commissioners to act on any such principle. The Serjeant Major of the 29th regiment, one of the most gallant regiments in the service, committed a fraud, by which his years of service were made to appear greater than they really were. He had a pension of 2*s.* per day. I believe the hon. and gallant officer opposite, the member for Poole, who commanded that regiment for so many years, will recollect the case. His name was reported by the Military Committee, and sent in to the Commissioners, and he was ordered to be struck off the list of pensions. A reference was made by the man to Colonel Hodges, his Commanding Officer, who returned for answer:—

> "I have known Serjeant ——— for twenty-one years, and his conduct during that time has been most exemplary, particularly at the battle of Rolica, in 1808, on which occasion he received three wounds, and was publicly thanked by his Commanding Officer."

The minute dated at Chelsea, in 1830, is to this effect:—

> "He has forfeited his pension, but in consideration of his gallant conduct and exemplary behaviour, as certified by his Commanding Officer, the Commissioners are induced to place him on the Pension List at 1s. per day."

Now, this is the way in which we were obliged to deal with such cases; and when we found that the temptation to the commission of fraud had been very great, and that a certificate of good conduct could be produced, we thought it too hard that such men, after long service, and great bravery in the field, should be thrown pennyless on the world. This case may serve to illustrate several hundred of cases which came before the Commissioners of Chelsea Hospital. My hon. and gallant friend, the Surveyor General of the Ordnance, when he talks of my having made an appeal to the passions of the House, will, I think, do me the justice to say, that I might have made such an appeal with some effect, if I had chosen; for if I were to contrast the Orders in Council in favour of the negroes with what has been done for the old soldiers, I am satisfied the result would prove the regulations to be most severe against the latter. My hon. and gallant friend, the member for Rye (Col. Evans) observed, that he thought the cavalry soldiers ought to be allowed to reckon their period of service on an equality with the infantry. But the gallant officer must recollect that the cavalry, generally speaking, do not serve in the colonies, and it would be very unjust to place them on the same footing as the infantry, when the great wear and tear upon the constitution is chiefly caused by colonial service. I will not enter into this question any further at present: I will content myself by merely saying, that the attention of Government ought to be directed to this subject; and, if it is well considered, and with prudence—if it is considered with fairness—if it is considered with that caution which I have recommended in two successive Parliaments, I am satisfied that the Pension List may be reduced, and the soldier benefitted; but if the system of which I complain be persevered in, then, I repeat, it is ruinous to the soldier, burthensome to his parish, and discreditable to the Government.

Sir *John Hobhouse:* The first objection which has been made is with respect to the hardship of only allowing a soldier to commute four years' pay; and we have been told that it is a very hard case that the Act does not allow any more. All I can say, in reply to that charge is, that the right hon. Gentleman opposite was the author of the order which directed this regulation; and I presume, therefore, that he can give the right hon. Gentleman, the late Chancellor of the Exchequer, the best answer upon the subject. The words of that order are precise, and cannot be mistaken—"four years' pay as an equivalent." Now, Sir, with respect to that part of the plan which has been proposed by the right hon. Gentleman—that, in case any men should fail to follow up the commutation by going out, the War Office shall have it in its power to make a fresh arrangement with them, and to replace them on the Pension List—I must beg to remind the right hon. Gentleman, that the Act of Parliament gives the War Office no such discretion. I will take the liberty of reciting the terms of the Act; and, after I have done so, I think the right hon. Gentleman will at once see that, if this discretion be given to the War Office, an Act of Parliament must be introduced repealing the former Act. The Act says—'And the receipt of the person receiving 'such commutation, or equivalent, or other 'proof of his having accepted an equivalent, or commutation in lieu of such 'share of pension, shall be a good discharge for the same, and the sum so paid 'shall be considered as a release and 'abandonment of all claims to any future 'or other payment of pension.' Now, I must say, that I rather think these words would preclude any Secretary at War from giving to the soldiers any new claim, they having, by this Act, forfeited their old one. I beg leave to state now to my hon. friend, the member for Middlesex, with respect to what I said before, that if, upon examination at the War Office, I find that there is in the statement of the right hon. Gentleman opposite, that which makes it imperatively the duty of the Government to take the case into consideration, and, in fact, to change completely—because I rather think that is, in point of fact, the right hon. Gentleman's proposal — the mode in which the principle of commutation is carried into effect—the Government will consider it their bounden duty so to do. Here is the observation which may, perhaps, be applicable to this part of the question, which, I believe, I did not state before. The right hon. Gentleman is quite mistaken if he supposes that the whole of the sum allowed for commutation is put at once into the hands of the pensioners. Only a certain portion is given them at first; and in all these cases the greatest possible care has been taken that the money should not be paid until it is almost certain that the soldier has actually gone abroad. With respect to the certificates, I beg to state, for the information of the right hon. Gentleman, that not only a medical certificate, but three or four other certificates are required. I will just state the nature of them, because it is rather important that the House and the country should not be induced to suppose, that if there were any trivial mistakes made in the outset, proper steps have not since been taken to cure those mistakes by the Government. First, the pensioner makes a statement as to his age, rate of pension, trade, or calling—whether he his married, and if he has any children, their names and the dates of their births—then, whether he intends carrying on a trade when he gets out, and what means he has of conveying himself to the colony. Then, there is another certificate required of the name and address of the minister of the parish in which the pensioner resides, of the name and address of the Magistrate before whom the affidavit was made; then another certificate from a medical man as to the state of the pensioner's health; and, finally, a certificate from one or more respectable householders as to his general character. It is very possible, and I regret to say that, in many of the cases very probable, that the unfortunate habits of the applicants may induce them to evade all the checks imposed by these certificates and to elude the vigilance of the Government. I cannot help thinking, however that the Government has done its duty in making these requisitions; and the only thing which remains to be done is, to inquire whether the age which is fixed as the limit beyond which no pensioner shall be sent out to the colonies, is or is not a proper one. There are differences of opinion on this point, certainly.

Sir *Henry Hardinge:* I would beg leave to read the part of the article which contains the provision to which I alluded, as I dare say the right hon. Gentleman only having entered office, I believe, in February last, is not acquainted with it. In the articles for the regulation of the army, signed by the King;—I do not intend to infer that the right hon. Gentleman has any want of the duties of his office; far from it: considering the short period he has filled it, I am sure his answers are very clear and satisfactory; but he may not be, perhaps, aware of the following passage in the articles for the regulation of pensioners, signed by his Majesty;—'Where grants of land can be made in the 'colonies, the precise terms of the grant, 'and the most advantageous mode of paying the gratuity, shall be explained to 'the soldier before he receives his discharge; and, when he has been settled 'three months, and is actually residing on 'his grant, the Government, under authority from the Secretary at War, may, 'in addition to the gratuity, allow the 'soldier a quarter's pension at 6*d.* a day, 'and may, from time time, renew it for a 'period not exceeding one year.' Now, one of the points of which I complain is, that the Secretary at War should, by a War Office letter of his, not have given to the old pensioner, with whom a most profitable bargain is made for the public, that advantage which the King's regulation affords to younger men discharged upon gratuities; in favour of which the Lieutenant Governor of Upper Canada has stated his opinion.

The House resolved itself into Committee.

On the question that the Bill be read paragraph by paragraph,

Mr. *Hunt* said—When the Marine Mutiny Bill was before the Committee, on the question that it be read paragraph by paragraph, I asked the then Chairman to stop at the clause which related to corporal punishment, not extending to life or limb. I was then told by the Chairman—I think, by the right hon. Secretary for Ireland—yes, by the right hon. Secretary for Ireland—and by the right hon. the Secretary for the Treasury—that there were no such words as those in the Mutiny Act; so I was put down, and the Mutiny Act was not even read clause by clause. Upon the assurance of these Gentlemen, and giving way, as I now wish I had not done, to their, as I supposed, superior knowledge of the subject, I let the opportunity pass without moving that the words should be left out. I now see that the 24th Clause in both the Acts contains the words to which I then objected. With regard to the Marine Mutiny Bill, I must say, that I never saw on any occasion, although I have seen a good deal in this House, anything passed over in such a slovenly manner. The right hon. Secretary for Ireland told me there were no such words in the Act, and, as far as I recollect, so did the right hon. Secretary for the Treasury, and the then Chairman, Mr. Ponsonby. I would appeal to the right hon. Secretary at War whether this is not the fact? And now I find, in the 24th Clause of the Bill, these words—'Provided also, and be 'it further enacted, that it shall be lawful 'for any such general Court-martial to inflict the punishment of imprisonment, 'solitary or otherwise, or corporal punishment, not extending to life or limb, as 'such Court-martial shall think fit.' I, therefore, do complain, that I was prevented from making the motion which I called on the Chairman to allow me to make, by his acceding to the statement to which I have referred. All that I have now to request is, that, when the clause is arrived at, I should have an opportunity of moving that the words "corporal punishment, not extending to life or limb," be struck out.

Mr. *Spring Rice* said, that, if he had misdirected the hon. member for Preston, he had no wish to lead him astray. He had thought the words were not in the Bill.

Mr. *Ponsonby* denied that he had stated the words were not in the Mutiny Act; and repelled the assertion that he had gone through the Bill in a slovenly manner, when in the Chair. He denied, also, that he had at all misled the hon. member for Preston.

Mr. *Hunt* said, it was the duty of the Chairman of the Committee to have examined whether there was or was not such a clause in the Bill before him. The assertion that the Marine Mutiny Bill contained no such clause had been reiterated by the right hon. the Secretary for Ireland.

Mr. *Ponsonby* appealed to the House whether the hon. Member did not charge him, in common with other hon. Gentlemen, with asserting that the words were not in the Act.

Mr. *Hunt* denied that he did. What he said was, that the Chairman did not contradict those who said so, and did not examine the Bill.

On the question that the clause relating to Courts-martial have the power of inflicting the punishment of death, stand part of the Bill,

An *Hon. Member* said, this is a clause of very great importance, and I would beg to ask, whether officers, who are under age and very young in the service, are allowed to sit on Courts-martial? I must say, that I think they ought not, and I hope some regulation will be introduced to prevent them.

Mr. *Hume:* I think it most important that this question should be answered.

Mr. *Robert Grant:* The officers who compose a Court-martial, are selected by the Commander-in-Chief, who, of course, makes choice of those who are most experienced and best qualified to perform this duty properly. I believe that, in almost every case abroad, the greatest care is taken to secure an efficient and impartial tribunal.

The *Hon. Member:* Cannot any officer who has been in the service six months, sit upon a Court-martial?

Sir *Henry Hardinge:* The fact is, as the right hon. Gentleman opposite has stated. The officers who compose a Court-martial are in general, selected by the Commander-in-Chief. Now, it certainly is very desirable that no technical objection should prevent a Court-martial being formed abroad in foreign service, and, in many such cases, the strength of the garrison would not admit of the whole court being composed of old officers. I must, therefore say, that I think the alteration which has been proposed would be found extremely inconvenient in practice.

Colonel *Sibthorpe:* I believe no officer is ever placed on a Court-martial who is not a man of experience; and I think every one will acknowledge that they always discharge their duties with the strictest honour and impartiality.

Mr. *Hunt:* If the law of the land declares that no person under twenty-one years of age, shall sit on a jury, I think it should equally apply to Courts-martial; and I certainly do not think that a man should be tried for his life, or, what is in many cases worse, be sentenced to corporal punishment, by young and inexperienced men.

Clause agreed to.

On the question that Clause 7 stand part of the Bill,

Mr. *Hunt* said, in moving that the words "corporal punishment not extending to life or limb" be omitted, I beg to state, that, when a short time since, I moved for a return of the number of soldiers in the army flogged in one year, I was under the erroneous impression that the floggings which we know take place to such an extent, and which the right hon. Secretary at War has often described in such strong terms, were public; but I see that, since I made that motion, the officers in the barracks have called their soldiers together, and reprimanded them for sending to the newspapers accounts of the punishments inflicted on the men. I saw an account in the papers soon after I made the motion to which I referred, in which it was stated that there were private punishments inflicted, which did not come before the public in any way, except through the soldiers themselves, or the medium of the public Press. I do think that the present, being a time of peace, is an additional argument in favour of the motion. Blackstone says, in his Commentaries, speaking of this law, that soldiers are placed in a much worse situation than any other class of his Majesty's subjects. I do hope, in time of peace, this state of things will not be allowed to continue. I have often heard with pleasure the speeches of the right hon. Secretary at War on the subject, in which, I am sure, he did it ample justice. Perhaps, now he is in office, he may find himself compelled to act differently, but I hope and trust he will not forget his old sentiments, and that he will take the subject into consideration. At all events, I shall take an early opportunity of moving for those returns; and, on that occasion, I shall bring forward strong cases for having that inhuman system of torture abolished, which consists in tearing the flesh of a soldier actually off his bones. Some gallant Officer behind me says "nonsense;" perhaps he has never witnessed the infliction of this punishment?

Colonel *Sibthorpe:* I never have.

Mr. *Hunt:* Well, then, the gallant Colonel has been very fortunate. An officer once stated to me, that, when he went first into the army, being a young man, he was standing by, witnessing the execution of this punishment, and, after the man had been flogged some time, large pieces of clotted blood, and sometimes flesh, at every stroke of the cat, were thrown upon his waistcoat. He was so much affected and disgusted with the sight, that he turned away his head, when he was told by his commanding officer to face about, and do his duty. I am prepared to bring the officer who made this statement to the Bar of this House.

Colonel *Sibthorpe:* I never saw anything like this.

Mr. *Hunt:* I suppose then, the hon. Member was never in the Guards. Can it be said, now, that such punishments as these should be inflicted for some merely trivial disobedience of orders, such as staying out of quarters without leave? The question is, whether the system of discipline cannot be kept up without this system of punishment.

Sir *John Byng:* I certainly should be very sorry if it were to be supposed that the officers in the army are not as considerate, as humane, and as anxious for the welfare of their soldiers, as any other class of people; and if officers do witness the execution of this punishment, it should be recollected that their doing so is a matter of absolute necessity. I do not, however, rise so much for the purpose of advocating corporal punishment, as with the view of making some observations on what has been said by the hon. member for Preston. The hon. Gentleman thinks that this punishment is inflicted in private. He will allow me to tell him that he is altogether in the wrong. Every punishment must be registered, and if a soldier receives only one lash, it must be noted down. Now, if the House will do me the favour of attending to me for one moment, I will show it that it is totally impossible that punishment can be privately inflicted. By the general regulations of the army, every regiment undergoes an inspection every half-year by a general officer, whose duty it is to call for the production of the books. He calls for the defaulter's book, and the officer who has it in his possession is required, as a matter of course to produce it. If the general officer sees that a man has been punished, he looks to see whether he has been guilty of any offence deserving of severe punishment before. If he finds he has not, the general officer asks on what ground it is, that he was severely punished, he being a new offender; and the commanding officer states the reason why the punishment has been inflicted. He is also required to state the nature of the punishment, when and where it was inflicted, and whether it was proportionate to the offence. In short, there is no possible precaution that could be taken which is not adopted to prevent the possibility of a single man being flogged without absolute necessity. I have been thirty years in the service, and I will venture to say that the punishment is not now inflicted to one fiftieth part of the extent it used to be. In the last ten years alone, I am sure it has been reduced to one-tenth what it used to be. I am confident that this House may trust to a body of men who, I maintain, are as attentive to the wants and wishes of the soldiers, as any other set of men can by possibility be; and I trust the House will believe that punishment is never inflicted in these cases without a just and adequate cause. With this feeling, I must oppose the Motion of the hon. member for Preston, because I am satisfied that it is not required, and because I feel convinced that corporal punishment must be adopted in cases which will sometimes occur.

Mr. *Hume:* I am sure I have no wish to accuse the officers of the army of want of humanity. The hon. and gallant Gentleman has told us, that the flogging is not one-tenth part of what it used to be; and yet we have been refused the return. I think that this system of punishment ought to be abolished altogether; at all events, in time of peace. I am told there are some regiments in the service which are most admirably conducted, but in which no corporal punishment is ever inflicted. Now, I would beg to ask the hon. and gallant Officer who has just sat down, where would be the danger of trying the experiment of doing without this system in England for one year? If the flogging which is now inflicted is not one-tenth the amount of that which was inflicted a few years ago, God knows what the state of the army must have been then; and if the punishment has ever been fifty times its present amount, the British army must have been in a melancholy state indeed.

Colonel *Sibthorpe:* I agree with the hon. member for Middlesex, that the army must have been in a sad state, indeed, if it were in the situation to which he has adverted; but the hon. member for Middlesex is, I think, more conversant with what I should call matters of economical arrangements than with the army. A Bill has just left this House (I hope to be put down in another) for the purpose of introducing a Reform in the State. The spirit of emulation inspires the hon. member for Preston, and so he and his supporters are very desirous of reforming the army, in a manner which is, I think, a most indelicate interference with that establishment, which has been the admiration of all other countries, and which, I affirm, ever has been, and I hope will ever continue, the dread of our enemies. I never knew a single case in which punishment was not inflicted with the deepest regret on the part of the officers; and, under all the circumstances, I feel convinced that the House will not interfere with the regulations of the army, as I humbly submit, indeed, they have no right to do; and I hope that, should the House so interfere, the matter will be left to better judges of the subject than the hon. member for Preston, and the hon. member for Middlesex.

Sir *John Hobhouse:* The hon. member for Preston was certainly correct in stating that I have entertained—and I will add, that I still entertain—a strong opinion on this subject; and certainly, if the framing of the Mutiny Bill rested with me, I should like to try that experiment which has been adverted to with the home service. But the hon. member for Preston is, perhaps, not aware that the framing of the Mutiny Bill does not rest entirely with the Secretary at War. In form, it certainly does, but it certainly is not, in fact, his doing; and I have no hesitation in saying, that I had no more power to leave this clause out of the Bill than the hon. member for Preston himself had. I certainly entertain the opinion I have formerly expressed, that it is expedient to abolish the punishment of flogging; but, at the same time, I am bound to state, that all the old experienced authorities whom I have consulted, are of an entirely different opinion. There is no person with whom I have conversed on the subject, since I have been in office, who has not assured me that such a step would be most detrimental to the interests of the service. That is their opinion; I certainly cannot say that it is mine. A very strong public opinion has been expressed on this subject; but I believe I may say, that the regulations which were introduced by the right hon. and gallant Gentleman opposite, transferred a great power from individuals to general Courts-martial, and produced an alteration which has been productive of the very best and most advantageous effects. I do not know that it is necessary for me to explain, at the present moment, why the returns to which the hon. Gentleman has adverted were refused. I do not know that there is any desire to keep this subject secret. The hon. and gallant General behind me (Sir John Byng) truly stated, that a register is kept of the punishments which are inflicted. That register is at the Horse Guards—the Horse Guards exercise a supervision over it, but I am not aware that there is any disposition whatever to keep it secret. There were one or two other reasons against the production of these Returns, which I will not trouble the House with at present; the rather, as the hon. Gentleman says, that he will make this the subject of a distinct motion. He certainly has enlarged his Motion. In the first instance, it was confined, I believe, to a single regiment; and now it is to extend to the whole army. I must say, that I think this is rather an invidious mode of dealing with the question; and, unless the hon. Gentleman states better grounds in support of his Motion than he advanced on a former occasion, I shall feel compelled to refuse to accede to it.

Sir *Henry Hardinge:* I feel extremely obliged to the right hon. Baronet for bearing testimony to the beneficial results of any changes which I may have introduced; but I regret to differ from the right hon. Gentleman with respect to the principle on which he has placed the formation of the Mutiny Act. I must confess that I take a very different view of that subject, for I think that the Secretary at War is, in a constitutional point of view, the proper person to draw up the Mutiny Bill and the Articles of War. He is bound to stand between the civil subject and the military, and it is his duty to take care that the civil part of the community are properly protected, and that those who enter the army are not treated in an unnecessarily strict manner. If the right hon. Gentleman meant to say that he ought not to make any alteration in the Mutiny Act or the Articles of War, without the concurrence of the Commander-in-Chief, I entirely concur with him; but, having held that office of Secretary at War, I must maintain that it is, in a constitutional point of view, the duty of a Secretary at War to be responsible for all military transactions to this House and to the country. With regard to the opinions of the right hon. Baronet, as to corporal punishment, he has very fairly admitted, that every one he has consulted is opposed to him upon that subject, and that he still entertains an opinion contrary to that of every experienced officer in the army. I think this in itself, would be a most conclusive argument as to the propriety of retaining the system of corporal punishment; at the same time I must object to the observation of the right hon. Gentleman, by saying it would be perfectly unwise to make any experiment of doing away with corporal punishment in England and preserving it abroad. Why, the soldiers would be told, if such a proceeding were adopted, "While you remain in England your backs are safe; but, the moment you go out to fight your enemy, you will become subject to the infliction of corporal punishment." The necessity of corporal punishment, I will candidly own, appears to me to be very great, at home, as well as abroad. It is admitted, that our army is constituted in a different manner from any other in Europe—by voluntary enlistments; and the consequence is, that a very different description of men enter the army to those taken by conscription. Previously to the introduction of the system of conscription, it was the custom for Russia, France, and Austria, to use corporal punishment of the severest kind. What induced them to alter the system? The introduction of conscription. When it was introduced from necessity, it was found, that if the yeomen and shopkeepers were called to serve in the army—if they were liable to be called on to defend their country—there was not the same necessity for corporal punishment as when a different class of men were enlisted. But, when you have to deal with an army like the British, which serves in the colonies, in the East and West Indies, and is exposed to every kind of hardship and trial, it would be found impossible to raise it by conscription. When you enlist a set of as fine fellows as can be found anywhere, if their utter recklessness of danger constitutes, as it does, a military qualification, the very irregularities of their previous lives, which, very likely, have been the cause of their enlisting, it is necessary to preserve that strict degree of discipline which corporal punishment alone can give; and I cannot disguise my opinion, that, if corporal punishment were abolished, the army of this country would no longer remain in its present admirable state of discipline. I would ask any hon. Member, does he think that an armed body of men would be tolerated in this country for a single day, if it were not for the admirable state of discipline in which the men are kept? Would any householders submit to riotous conduct and disorderly behaviour on the part of the military? Certainly not: and yet, look to the conduct of his Majesty's Foot Guards in this town—look to the excellent terms of harmony and good feeling in which they stand with the citizen, and then look at the discipline which is preserved among them. I have such a dislike to agitating the subject of corporal punishment, that I believe I have very seldom made any observations in this House upon the subject, but the result of my experience certainly is, that corporal punishment is necessary, for the strict conduct of the men, and the credit and discipline of the service. I could state facts to show that corporal punishment in the army has very much diminished within the last few years; but as the hon. member for Preston has expressed his intention of making a specific motion on the subject, I shall reserve myself for that occasion.

Lord *Althorp:* I understood my right hon. friend, the Secretary at War, to say, that it was impossible for him to have omitted this clause, even if he had been disposed to do so. Now, I have heard many discussions on this subject, and I need not say that my opinion has been in favour of the abolition of corporal punishment; but I regret to say that I do not think the service could be effectually carried on without it. The cases in which it is inflicted are of an atrocious description.

Mr. *Robert Grant:* The King has the authority of appointing the Courts-martial which shall have the power of inflicting this punishment, and I think there is a very good security that it is not improperly exercised. With respect to the returns which have been alluded to, I can only say, that they could not have been granted without causing an exposure prejudicial to the service. I feel myself bound to say, after having, in the situation which I have the honour to fill, made it my duty to make particular inquiry upon the subject, that the change which has recently been made, in substituting imprisonment for corporal punishment, has had a most beneficial effect. I will mention to the House a fact which will at at once demonstrate this. In comparing the number of corporal punishments which took place in the year 1821, with the number inflicted in 1831, I found that in the latter year a diminution had taken place in the proportion of twelve to one. With respect to the punishment by imprisonment, that has tended greatly to supersede corporal punishment. In 1811 the ratio of corporal punishments to other punishments was about two to one; whereas, in the last year the ratio was only one to five: a great diminution of such punishments in the army is, therefore, apparent; but I will not enlarge upon the subject now. When the general question of military punishments comes on, I shall be happy to enter into the consideration of it, and assist those Gentlemen whose humanity impels them to take a deep interest in the subject, in ascertaining what ought to be finally determined upon. I will now only venture to throw out one hint to those Gentlemen, which is, considering how much punishment in the army has been mitigated in point of practice, and how much the principle which they themselves advocate—namely, that lenient punishments are more salutary than severe ones —has been illustrated in the substitution of imprisonment for corporal punishment—I would suggest for their consideration, whether much more may not be done by leaving this power to inflict corporal punishment in the Mutiny Act—at the same time that every possible means are used to diminish its practical application, either by regulations emanating from the office which I have the honour to hold, or by the introduction of some alterations in the Articles of War—than can possibly be effected by constantly exciting discussions in this House on the subject—which discussions must have a tendency to increase the desire on the part of the officers to have the power retained in the Act. I will add only one other observation, namely, that in point of fact, corporal punishment has greatly diminished; and I shall be happy to lend every aid which the situation I fill will enable me to do, to the further diminishing of it so far as it can be done consistently with the proper maintenance of military discipline.

Mr. *Kemmis:* It seems to be the desire of Gentlemen on both sides of the House that corporal punishment in the army should be diminished as much as possible; and I hope that his Majesty's Government will take some means to effect that object. I can assure the House that it is very rarely that corporal punishments are inflicted in the militia. The officers of the army are by no means desirous to exercise that power with severity, though I believe it is their wish that the power should remain to them, as it is some times found more effectual to inflict a slight corporal punishment than to imprison the men. I can likewise bear my testimony to the correctness of the statement made by the right hon. and gallant Officer (Sir Henry Hardinge). During the last two years, I can assure the House, I have never been present at any Court-martial where sentence of corporal punishment has been given; nor have I during that period seen any such punishment inflicted. But, with regard to the punishments which are used in the foreign service, the real amount of punishment is much greater than in the British army; for, in consequence of their not inflicting corporal punishment by flogging, they are obliged to substitute the torture.

Mr. *Hunt:* What has fallen from the hon. and gallant Officer is, in my opinion, worthy the attention of his Majesty's Government. I am not at all sorry that I have caused this discussion, because, from the observations which have been made by the several speakers, and more especially by the gallant Officers who have taken part in the debate, it appears that there has been a great diminution of corporal punishments in the army. It has been stated by the right hon. and gallant Officer, (Sir Henry Hardinge) that it would not be possible to keep up the discipline of the army unless the power of imposing corporal punishment existed. Now, I am disposed to believe, that this is his conscientious opinion; but I am sorry that his experience as an officer makes him entertain that opinion. I do not accuse him of any disposition to exercise an unnecessary degree of severity in the army; though I cannot help believing that it is quite possible that a civilian, who has no predilections upon the subject, but looks at it only in the light of a question of humanity, may possibly be as likely to form a correct opinion as one whose professional bias might naturally incline him to covet a power, and even suppose it necessary, because it happens that he has hitherto possessed it. I was glad to hear the testimony given by the right hon. Secretary at War to the benefits that have resulted from the recent arrangements which have been made, and that the consequence has been, a considerable diminution of this cruel species of infliction. I beg to offer the right hon. Baronet my humble tribute of thanks for his having been the means of effecting this change. But, after all that has been said, the description which I gave of one flogging alone has not been contradicted. An hon. and gallant Member (Colonel Sibthorpe) says, that this is an indecent interference with the British army; but I am not talking of indecency, I am talking of a species of torture that is fifty times worse than anything indecent. I speak of a punishment by which the flesh is torn from the bones of men, and the life of the sufferer is in many instances put in the greatest jeopardy, if not actually destroyed. An hon. and gallant Officer says, that foreign armies resort to a species of torture, but he does not condescend to tell us what that description of torture is. But I would ask, can the ingenuity of man devise a more horrible kind of torture than what is now practised in the Guards? I have been informed that a man in the Guards was brought out to receive 500 lashes, and that after receiving a part of them, his mind and whole frame were wrought up to that state of excitement, that the surgeon called out—" Hold! another blow will cause death!"—Can the hon. and gallant Officer tell me of a worse species of torture than this? Although it is the general opinion of military men in this House that the discipline of the army cannot be kept up without the power of inflicting this torture upon the men, yet that does not afford any argument to justify his Majesty's Ministers in withholding the return for which I have applied. If it be true that the cases in which the lash is inflicted are now very few, that is a reason why the Government should have granted me the return I asked for. The right hon. and gallant Officer has said, that there was no such thing as secret punishment practised in this country: he says, that the commanding officer must make a return of the punishment, and that it must be registered in a book, which goes to the Commander-in-Chief. Yes; and there it stops. I do not complain of there being anything secret so far as regards the army; but what I complain of is, that these things are entirely withheld from the public, who, in consequence, are impressed with a belief that this species of punishment is carried to an enormous extent. His Majesty's Government have therefore done great injustice to the army by withholding these returns. I am ready to believe, from the statement made by the right hon. the Judge Advocate, that punishments in the army have considerably diminished within these few years. I hope the time will come when corporal punishment will be done away with altogether. My motion is, " that these words shall be left out;" but I should say, " during peace." I am sorry that I entertain no hopes of carrying my motion.

The *Chairman*—Do you divide?

Mr. *Hunt:* Why, perhaps, it would be invidious to do so. I certainly am delighted at what has fallen from the gallant Officers, and also from his Majesty's Ministers, during this discussion. Since I made the Motion for papers relating to this subject, I have observed that, in many instances men have been drummed out of the regiment. That I think is a much better method than the inflicting of torture by the lash.

Sir *John Milley Doyle:* I particularly agree in the opinion expressed by the hon. member for Middlesex, that this obnoxious and degrading punishment might be abolished in time of peace; although during active service, in time of war, it should be continued,

Amendment negatived without a division.

The other clauses agreed to, and the House resumed.

TITHES (IRELAND) — MINISTERIAL PLAN.] Mr. Stanley moved the Order of the Day for receiving the Report of the Committee on Tithes in Ireland.

Mr. Bernal brought up the Report.

Resolutions read as follows:—

1. " That in several parts of Ireland

an organized and systematic opposition has been made to the payment of tithe, by which the law has been rendered unavailing, and many of the clergymen of the Established Church have been reduced to great pecuniary distress.

2. "That, in order to afford relief to this distress, it is expedient that his Majesty should be empowered, upon the application of the Lord Lieutenant, or other Chief Governor or Governors of Ireland, to direct that there be issued from the Consolidated Fund of the United Kingdom of Great Britain and Ireland such sums as may be required for this purpose, not exceeding in the whole the sum of 60,000*l*.

3. "That the sums so issued shall be distributed by the Lord Lieutenant, or other Chief Governor or Governors of Ireland, by and with the advice of the Privy Council, in advances proportioned to the incomes of the incumbents of benefices wherein the tithes or Tithe Composition, lawfully due, may have been withheld, according to a scale diminishing as the incomes of such incumbents increase.

4. "That, for the more effectual vindication of the authority of the law, and as a security for the repayment of the sums so to be advanced, his Majesty be empowered to levy, under the authority of an Act to be passed for this purpose, the amount of arrears due for the tithes or Tithe Composition of the whole, or any part, of the year 1831 without prejudice to the claims of the clergy for any arrear which may be due for a longer period; reserving, in the first instance, the amount of such advances, and paying over the remaining balance to the legal claimants.

5. "That there exists an absolute necessity for an extensive change in the present system of providing for the maintenance of the ministers of the Established Church in Ireland; and that such a change, to be satisfactory and secure, must involve a complete extinction of tithes, including those belonging to lay impropriators, by commuting them for a charge upon land, or in exchange for, or investment in, land."

On the Motion that the first Resolution be read a second time,

Mr. *Wallace* regretted that so serious and important an interference with the peasantry and landed interest of Ireland had been proposed in the absence of that evidence which the right hon. Gentleman, the Secretary for Ireland ought to have produced, before he had pressed the Resolutions upon the House. He had given those Resolutions all the opposition in his power from a conviction, that they would operate most injuriously upon the interests of Ireland, in the delicate and difficult situation in which she at present stood; but the right hon. Gentleman had been supported in his views by such overwhelming majorities as would, perhaps, give any further opposition on his part the character of faction. He would, therefore, decline further opposition; but in order to show what his objects were, and that they were neither factious, nor unreasonable, he meant to submit certain Resolutions to the House as amendments to those reported from the Committee. He intended merely to move them *pro forma* in order that they might be placed on the Journals, as the permanent justification of himself, and those with whom he acted; and he neither wished to provoke a renewed debate upon a subject already so fully discussed, nor did he intend to call for any division. He would, therefore, take leave of the subject by saying, that he was one who would never call "passive resistance" to the payment of tithe criminal. He begged leave to move the following Resolutions:—

1. "That his most Gracious Majesty having recommended to Parliament, in his speech from the Throne, at the commencement of the present Session, 'to consider whether it might not be possible to effect improvements in the laws respecting tithes in Ireland, which may afford necessary protection to the Established Church, and at the same time remove the present causes of complaint;' and this House having accordingly taken the same into consideration, are of opinion, that it is expedient and necessary that an extensive change in the present system of providing for the maintenance of the ministers of the Established Church should immediately take place; 'and that such change, to be satisfactory and secure, must involve a complete extinction of tithes, including those to lay impropriators; that the clergy should, as far as possible, be removed from all pecuniary collision with the occupying tenants of the land;' and that 'the establishment of a provision for the clergy in lieu of tithes should be one more easy of collection than the present, less burthensome to the occu-

pying tenant, and above all, more productive of that harmony and good feeling between the clergyman and his parishioners which, especially in Ireland, are essential to the interests of religion, and to the peace and prosperity of the empire.'

2. "That the existing system of tithe laws in Ireland, and the present mode of providing for the maintenance of the clergy by tithes, have, from their many defects and imperfections, become the occasion of much grievous hardship, oppression, and consequent discontent among the people of Ireland—and have at last produced a very general though 'passive opposition' to the payment of tithe—an opposition eluding, by its being passive, any application of physical force, already extending through several counties in Ireland, and likely, in a short time, to spread over the whole island, unless such a change in the mode of providing for the clergy shall be adopted, as, 'by the extinction of tithes,' and of course abrogating the present system of tithe laws, shall remove the present causes of complaint.

3. "That the opposition to tithes, though general and simultaneous, yet being passive only—and a mere withholding of a tithe debt, appears not to have been deemed a fit subject for criminal prosecution, either of itself, or as constituting an illegal combination—the law officers of the Crown in Ireland not having in any one instance instituted any criminal prosecution against any individual for such resistance as an act of combination or conspiracy: such opposition may, however, have produced a considerable degree of pecuniary distress to some of the clergy; for the relief of such distress this House will be ready to make an adequate provision, by grant out of the Consolidated Fund, as occasion may require, but to be repaid by the clergy out of the arrears now due from the persons indebted, when the Legislature shall have decided on the mode of provision to be adopted for the clergy in lieu of tithe, and of enforcing the same.

4. "That it appearing that in the Committee of the whole House, on the consideration of the First Report of the Select Committee, a Resolution was proposed, grounded on a suggestion contained in that Report, 'That, for the vindication of the law, and as a security for the repayment of sums to be advanced to the clergy, his Majesty be empowered to levy, under the authority of an Act to be passed for the purpose, the amount of arrears of tithes for the whole or any part of the year 1831, without prejudice to the claims of the clergy for any arrear which may be due for a longer period, retaining, in the first instance, the amount of such advances,' this House feels itself bound to declare that such a measure, vesting as it would do, a civil and unascertained claim of the clergy in the Crown for perhaps a portion only of an alleged debt, would not only oppress the subject, by rendering him liable to the double suit of the Crown and the clergy for the same demand, where more than the tithe of one year is due; but would unite and identify the Crown and the clergy as suitors against that class of his Majesty's subjects who are alleged to be tithe debtors; that such union would be a gross violation of the Constitution, by which the Crown should stand indifferent between all classes of his Majesty's subjects, in relation to their civil rights; whereas, such a union would tend directly and inevitably to oppression and injustice, by giving to the clergy, in the prosecution of their civil claims against the peasantry and land-occupiers of the country, the overwhelming weight of the wealth, power, and influence of the Crown, in addition to whatever means the clergy already possess as suitors in Courts of Justice in recovery of their tithe debts; and finally, such a measure would tend to lessen the dignity of the Crown, by placing it in a situation in which, if a private individual should stand, he would be guilty of the odious crimes of maintenance and champetry—of the one by officiously meddling in suits which no way belonged to him; offending against public justice, by keeping alive strife and contention, and perverting the remedial process of the law into an engine of oppression;—of the other, by purchasing for money a right to sue in another man's name, carrying on other persons' suits at his own expense, and repaying himself out of the proceeds.

5. "That this House cannot but mark with its disapprobation, under such circumstances, a measure at once so injurious to the rights of the subject, and so derogatory from the honour of the Crown; and which instead of vindicating, would powerfully tend to disparage and degrade the law of the land."

Mr. *Leader*, in seconding these Resolutions, observed, that if he did not think the Resolutions brought forward by the

Government were calculated to increase the difficulties under which both England and Ireland laboured, he should not have opposed them. He was convinced they would be productive of greater mischief to Ireland, and greater expense to England, than the present state of things could cause. He agreed with the hon. member for Middlesex as to the expediency of affording some pecuniary relief to the Irish clergy, but he totally dissented from the proposal of granting Government further powers of coercion, for the purpose of enforcing the claims for arrears. The debt to the clergy was certainly a valid one, but they were by no means so distressed as they had been represented to be. Now, with regard to the additional facilities which coercive measures would afford Government of collecting the arrears of tithes, he would simply mention the fact, that, in the most disturbed district in Ireland, the county Kilkenny, there were no less than thirty military cantonments, and 10,000 men maintained at an expense of 1,000,000*l.* per annum and yet they were unable to enforce the payment of tithes. It was, therefore, in the hope of averting further collision between the two parties, and also of further expense to England, in supporting the coercive measures, that he opposed that part of the Government Resolutions which tended to grant those powers.

Amendments negatived without a division.

On the question that the second Resolution be read a second time,

Sir *Charles Wetherell* said, he was not surprised that the hon. member for Drogheda declined, as he stated, to provoke discussion on his Resolutions, there being quite sufficient of provocation in the Resolutions which the House was then called upon to receive. They professed to be but five, but, in point of fact, they pledged the House to one thousand and one Resolutions, all of them at variance with the principles of the Constitution. He looked on these Resolutions as a fatal precedent in the parliamentary practice of the country. What he had principally to complain of was, the unceremonious manner in which they put an end to the property of the Church, or decreed a total extinction, to tithes, without in any manner offering, or even recommending, the expediency of a substitute. If the House had been called upon to subvert individual property without making a provision for affording compensation, how, he begged to ask, would the proposition be received? Would it not be scouted from the House. And yet here was an instance in which they were called upon to pledge themselves to the utter destruction of Church property, which in point of fact was individual property, without even holding out a hope to its present possessors that compensation would be afforded. In every view of the case he looked upon the course adopted by Ministers, in calling on the House to pledge themselves in the unqualified manner they had on the present occasion, as the establishing of an injudicious and even a dangerous precedent.

Lord *Sandon* desired to take that opportunity of entering his protest against the defence attempted to be made by many Members in favour of passive resistance. If that defence was once admitted in palliation of a breach of the law, even though that law be deemed harsh and oppressive by the generality of the people, it was impossible to say to what extent the principle might be carried. For instance, the Game Laws and the Corn Laws were looked upon as most oppressive and harsh enactments; and what was to prevent the people of England, should they perceive their Irish brethren escape all punishment after refusing to pay obedience to the laws directing that certain provisions in the shape of tithe be collected for the maintenance of the Established Church by adopting a system of passive resistance, as it was termed—what, he asked, should prevent the people of England from putting the same plan in force, and thereby elude the operation of the Game or Corn Laws? He was convinced that, if once that principle of passive resistance was admitted as ground of defence, there would, in a short time be an end of all law whatsoever. He knew well that the plan of offering passive resistance to the operation of law was in conformity with the theories of some casuists, who laid it down as one of their leading principles that if an individual was willing to bear the penalty consequent upon a breach of a law he was entitled to disobey. This casuistry, he trusted would not prevail with the people of England. If it did, he would say, "Farewell to the bonds of social order." It had been attempted to compare the feeling on the part of the Catholics on the subject of paying tithes to that on the part of the Quakers to conforming with several of the formalities and customs of the other persuasions; but there was a great difference between a determination to resist a law in force and a desire to conform to religious and peculiar scruples. If the payment of tithes was a matter either of religion or conscience, then the argument would hold good; but, as it happened to be solely an ordination of the law, nothing could be weaker or more untenable. He also desired to avail himself of that opportunity to express his regret at the course which the Irish Members had adopted during the discussion in the House upon that subject. They had almost unanimously advocated passive resistance, thereby following the example set to them by their constituents at home, instead of taking the lead, and by their precepts and conduct, discountenancing the adoption of such a dangerous principle as that to which he alluded, and guiding the people in a safer and more useful line of proceeding. He could not avoid thinking that the want of caution, if not prudence, which they had so unfortunately evinced, would tend much to render the final adjustment of the difference more difficult than it already was.

Mr. *Stanley* begged to assure the hon. member for Drogheda, that he had not intended (without meaning any disrespect to him) to offer any observations on the Resolutions which that hon. Member had proposed to the House; but, as he found himself called upon to say a few words in reply to some statements which had been since made, he thought he might as well avail himself of the opportunity to make one or two remarks on those Resolutions. In the first place, the hon. and learned Gentleman had stated in them, that the Committee had recommended the extinction of tithes. That was not the fact. They had unquestionably recommended the extinction of tithes, but only on the condition that an adequate substitute should be provided. The extinction of tithes, as an abstract question, formed no part of their recommendation. The hon. and learned Member was also in error in stating that the Committee had only reported the existence of a system of passive resistance to the payment of tithes. The Committee referred the House to the printed evidence taken before them in the progress of this inquiry, and in it was unquestionable proof of the commission of violence. It was then said, that the project of Government would be found oppressive to the tenant, for it would subject him to a double instead of a single demand for tithe. This was also an error, for the clergyman, on receiving such sum as Government might think proper to vote in lieu of his demand for tithe for the present year, was to forego all claim for the enforcing of that demand; so that in no possible case could the clergyman and the Crown be sueing for arrears of tithe at the same time. Having said this much on the subject of the Resolutions of the hon. and learned member for Drogheda, he would beg to offer one observation, in reply to a remark made by the hon. and learned member for Boroughbridge, to the effect that it was a dangerous precedent to call on the House to pledge itself to the extinction of any species of property without providing a substitute. He admitted that it would be a bad and a very dangerous precedent to lay down, but he begged to remind the House, that, unless a substitute was provided, those hon. Members who voted in favour of the Resolution were not bound to the extinction of tithes. In the very words of the Resolution the extinction was made dependent upon, and collateral with, the provision of a substitute; and if the substitute was not provided, the pledge of extinction became null and void. The hon. and learned member for Boroughbridge had then argued on the impolicy of providing a substitute, the very outline of which had not been as yet drawn out by Government. He did not know what the sources of information of the hon. and learned Member, as to the Cabinet transactions of Government might be, but he could assure him that he was incorrect in saying, that the outline of the intended plea of substitution had not been drawn up. Indeed, on more than one occasion, it had formed the subject of conversation and discussion before the Select Committee. He might add, that he hoped, in the course of the present Session, to bring forward the measure for the alteration of the system; but until all the evidence was before the Committee, no further steps could be taken in respect to it beyond the Resolutions to which the House had assented.

Mr. *O'Ferrall* only wished to defend the conduct of the Irish Members, during the various discussions on the subject of tithes, from the aspersions which he thought had been most unjustifiably cast upon them by the noble Lord (the member for Liverpool). He could assure that noble Lord, that his conduct (and he trusted that the conduct of those with whom he acted) would not be altered by the dictatorial advice which he (Lord Sandon) had thought proper to offer. He had given his opposition to some portions of the Resolutions, because he did not wish that the King's name and popularity, which he begged to inform the House was the only then existing link between England and Ireland, should be hazarded in the collection of an imposition which the Houses of Commons and Lords, if not directly, had indirectly admitted to be harsh, oppressive, and unjust.

Mr. *Goulburn* said, that, although he did not approve of the full extent to which the Resolutions went, still he thought it better, on the present occasion, to support them. At the same time, he begged it to be distinctly understood, that he reserved to himself the right of entering into the fullest discussion of all the details of any motion that might be founded upon them, whenever such a measure should be brought before the House.

Mr. *Sheil* begged to call to the recollection of the right hon. Secretary for Ireland, that there would, in many instances, be a double demand for tithe in progress of collection; for, as the measure of relief would only extend to the payment of arrears during the past year, in cases where there was an arrear of three years the tenant of land might be sued by the incumbent for two years' arrear, and by the Government for one.

Mr. *Stanley* said, the Bill was only to provide for the tithes for 1831, leaving all other arrears as they were.

Mr. *Dawson* coincided in opinion with the hon. member for Louth, and could not see how his Majesty's Government could escape from the dilemma in which they had placed themselves in respect to the payment of tithes. He objected to a plan which left it to the Attorney General to recover the amount of tithes due, because such a system must lead to the extinction of tithes. As these Resolutions formed the basis upon which a Bill was to be founded to settle the question, he was most anxious to express his opinion to support the Government in this, as a measure of compensation. He hoped the people of Ireland would not oppose the payment of tithes, when they found that the Government were determined to enforce it. In giving his support to these Resolutions, he must, however, protest against the term used of "extinction of tithes." True it was that the adoption of a measure founded on these Resolutions might remove those collisions which unhappily too often occurred between the peasantry and the tenants, and the clergy, in respect to tithes, but he could not see that it would relieve the people of Ireland, and he must decidedly protest against a system of commutation. Above all things, he was determined to maintain the rights of the clergy, and to take care that no other persons profited by the plan of extinguishing their property.

Mr. *Benett* saw no difficulty in effecting a commutation of the Irish tithes for land, as it was not, by any means, essential for the lands to be in Ireland. The Church, as a corporate body, might purchase landed property in England. It was necessary that the tithe property should be *bona fide* commuted and secured to ecclesiastical uses, not made over to the Irish landholders. He knew no way of securing it but by payment from the land, or in land itself.

Colonel *Torrens* said, that while the country gentlemen condemned the passive resistance of the peasantry to tithes, they themselves would resent the payment of a tax on land.

The Resolutions were read a second time and agreed to.

On the reading of the last Resolution a second time,

Mr. *Perceval* said, that he entirely concurred with the hon. Gentlemen who had expressed their disapprobation of this Resolution. He conceived it to be a conspiracy against the payment of tithes, and he saw in that conspiracy nothing more nor less than a conspiracy against the continuance of the Protestant Church as the Established Church of Ireland. That was the true and simple fact. He, therefore, could not be a party to that Resolution. He was, however, too well aware of the state of the House to move any Amendment, and, therefore, should content himself by merely entering his protest against such a Resolution.

The Resolution agreed to.

A Bill founded upon the Resolutions was then ordered to be brought in.

Catholic Marriage Bill.] Mr. Ruthven moved the second reading of this Bill.

Colonel *Perceval* objected to the second reading of the Bill, on the ground that, if passed, it would afford Catholic priests the power of performing marriages without publishing bans, or going through other useful forms.

Mr. *O'Ferrall* said, that, in accordance with the provisions of the Council of Trent, the publication of bans antecedent to marriage was attended to by the Catholic clergy in Ireland.

Mr. *Crampton* could not support the Bill in its present shape, as it was calculated to encourage clandestine marriages.

Mr. *Maurice O'Connell* said, that any security deemed necessary on this point could be introduced in a subsequent stage of the Bill.

Mr. *Spring Rice* agreed with his hon. friend, that the Bill would require amendment, but that could be effected at a subsequent stage. He hoped it would be allowed to pass the second reading without further opposition.

Mr. *Shaw* found it necessary to oppose the further progress of the Bill. It ought not to be allowed to proceed through a stage at that late hour in the absence of many hon. Members, who were directly opposed to it. He should take the sense of the House upon it.

The House divided: Ayes 35; Noes 5—Majority 30.

Bill read a second time.

HOUSE OF LORDS,

Tuesday, April 3, 1832.

Minutes.] Bills. Received the Royal Assent by Commission; the London Bridge Approaches; the Sugar Duties'; and several Private.

Returns ordered. On the Motion of Lord Ellenborough, a Statement of the Population and Assessed Taxes of each Town in England and Wales, having more than 2,000 Inhabitants which does not now return Members to the House of Commons, and to which it is not proposed to give that Right by the Reform Bill.

Petitions presented. By the Earl of Lonsdale, from the Hundred of Lonsdale, against the Reform Bill:—By the Earl of Fingall, from the Inhabitants of Kilmisson, for a measure of Reform for Ireland as extensive as that for England; from the Inhabitants of Athboy, Rathmere, Girly, Ballymacormick, and Temple Michael:—By Lord King, from the Inhabitants of Syddan, Mitchellstown, Killeary, and Ennismouth, for the Abolition of Tithes in Ireland; and by the Earl of Fingall, from the Inhabitants of Navan, for a Revision of the Tithe System.

Reform Petition.] Earl *Bathurst* rose to present a Petition from the Chancellor, Fellows, Scholars, &c., of the University of Oxford, against the Reform Bill. He had given notice that he would do so in the absence, from indisposition, of his noble friend, the Chancellor of the University, and as he had stated while giving that notice, he would not, on presenting the petition, enter upon any lengthened observations. He would merely call the attention of their Lordships to the general nature of the objections made by the petitioners to the measure of Reform now before the House. In the first place, they objected that the changes proposed by the Bill were hazardous, violent, and unsafe. They objected that the right of voting for two Representatives was extended to twenty-two places, and of voting for one Representative to twenty more, without reference to all those principles which ought to be kept in view when deciding on a question of such vast importance. They objected also that many places were disfranchised which had long enjoyed the right of sending Representatives to Parliament, and that all these changes were not only most hazardous alterations, and contrary to the whole system of the Constitution, but that they were proposed without proper notice in the preamble of the purpose intended. The preamble of the Bill stated, that it was desirable that the elective franchise should be extended to places by which it had not been before enjoyed, but did not say a word about the disfranchisement of places which before had the right to send Representatives to Parliament. They objected that the precise number of fifty-six places were totally disfranchised, and thirty places partially, without any reason assigned for fixing upon these precise numbers, and that the Bill went to pledge Parliament to the adoption of these numbers, without the information and knowledge requisite to enable it properly to do so. They stated, that they considered the Bill as calculated to create hostility to the Church, that many of the enactments were contrary to the opinions of many Reformers, that it went far beyond the general expectation, and that they were apprehensive that it would create a spirit of anarchy and confusion. They stated, that such an alteration of the whole system of the Constitution was a measure too vast for the grasp of any one man's judgment, however profound and extensive that judgment might be—and, that consequently, the provisions of the Bill proceeded upon a variety of contradictory principles, and that it contained a variety of incomplete and imperfect clauses; and they added, that for these reasons, the Bill would not settle the minds of men upon this subject, but, on the contrary, would create additional excitement, and a stronger and more general spirit of innovation and confusion. They stated, that they were apprehensive that the effect of this Bill, if carried into a law, would be to disturb and destroy those powers which were necessary for the existence of our mixed form of Government, and for its due administration, and they added, that in presenting this petition to their Lordships, they had no wish to embarrass the measures of Government—that it was contrary to their habits to mix themselves actively up with passing political measures; but that the vast importance of the measure in question, with reference to themselves and the whole community, had induced them on this occasion to break through their habitual seclusion, in order to lay before their Lordships their views as to the measure, which in their opinion, compromised, in a most objectionable manner, the interests of all classes. They therefore concluded by expressing their hope that their Lordships would not consent to pass this Bill into a law.

The petition was read.

Earl *Grey* did not mean to make any objection to the petition being laid on the Table, and still less did he mean to impugn the motives of the petitioners, who, as the noble Earl had stated, had broken through their seclusion in order to lay before their Lordships their sentiments and views as to the Bill now depending in their Lordships' House for the amendment of the state of their Representation in England and Wales. Neither did he mean at present to say anything in answer to the statements in the petition, or the observations of the noble Earl. It was only necessary to observe, that these were matters which would come regularly under discussion on the Motion for the second reading of the Bill, and till that time he would reserve whatever he had to lay before their Lordships in the way of answer—stating, however, that the petitioners appeared to admit that some Reform might be conceded, and that it was to the dangerous extent to which the Bill went that they objected. When the proper time came, he hoped to be able to show, that the measure was fraught with no danger, but that, on the contrary, it might be passed into a law with perfect safety to the institutions of the country, and with the most decided advantage to the whole community. All further remark he would postpone.

Petition laid on the Table.

Juries (Ireland) Bill.] Viscount Melbourne moved the Order of the Day for the House to go into a Committee on the Juries (Ireland) Bill.

The Duke of *Wellington* observed, that the Bill went to make considerable alterations in the Irish Jury System, which might be of doubtful utility. Looking at what had lately taken place at Kilkenny, he thought the measure ought to be postponed.

Viscount *Melbourne* saw no reason for the postponement. The measure had been long under consideration, and had been proposed to Parliament some years ago. There was nothing in the present circumstances of Ireland which made it unadvisable to pass the measure.

Lord *Plunkett* said, that the measure had been under consideration for some time, and the Judges had been consulted upon it. A copy of a similar Bill to the present was sent to him, when he was Chief Justice of the Common Pleas, for his opinion. He had given it by stating, that, as the Bill was framed on the principle of a Bill which had been adopted in this country, at the suggestion of a right hon. Baronet (Sir Robert Peel), who stood so high in the estimation of all persons, in consequence of the Reform he had been the means of effecting in the Criminal-laws of the country he saw no objection to its being extended to Ireland: he thought none of the Judges objected to the principle of the Bill except one; but he had never heard the ground of his objection stated.

Lord *Wynford* said, his objection to the present Bill was not founded upon the principle of altering the Criminal-law of Ireland, but that the present Bill altered the law of qualification; and having himself seen the operation of the law in this country, in that respect he certainly should object to the same principle being extended to Ireland. It had been said, that justice was well administered in Ireland; if that was the case, he was glad to hear it, because he had lately seen a case in which the Attorney General did not go on with some public prosecutions, because there was no chance that justice could be obtained. There was, however, one most striking objection to the adoption of this measure in Ireland, which was this—that a list of the names of those who were to serve on Juries, or those who were likely to be called on to serve as Jurymen, being returned on the panel, was to be stuck up in the Sheriff's Office, which was to be open to the inspection of everybody that might be disposed to look at it. He was afraid there were persons in Ireland who would be qualified to serve as Jurors under this Bill, who might not resist the dreadful influence which could be exerted over their feelings for the purpose of obtaining any verdict which those who exerted that influence might wish to have recorded. He was aware—and he spoke from the information of those who were more conversant with the subject than himself—that it was not desirable, that in all parts of England the names of the Jurors should be known; if that was so, there must be much greater objections to introduce the measure into Ireland, where they had a mode of dealing with Juries, which, thank God, was not known in this country. He did, therefore, trust, that the suggestion of the noble Duke would be attended to, and that delay might take place, for in the present state of Ireland, to pass the Bill might lead to the most dangerous consequences.

Lord *Ellenborough* would wish, before making such an alteration in the law as this Bill would do, that the opinion of all the Judges in Ireland should be taken upon the subject. He had a great respect for the opinion of the noble and learned Lord (Lord Plunkett), but still in a matter of such importance, he should expect that the opinions of others would be laid before the House. Of course it must be the desire of Ministers to render their Bill as perfect as circumstances would permit, and there appeared to him several objections as to the formation of Juries to be empanelled under its provisions. He, therefore, must beg for some longer time, in order to ascertain the bearings of the subject particularly as the present was a time at which it was necessary to proceed with great caution in all measures connected with Ireland.

Viscount *Melbourne* could but express his surprise at the very great opposition which had been made to this Bill, and he could not but think the noble Lord did not understand its objects. Everybody was aware, that a Bill was sometime ago introduced into the House for the consolidation of the Jury-law in England. It was thought by Government, that it would be advisable to adopt the same principle with respect to the Jury-law of Ireland. When he (Viscount Melbourne) came into power, a Bill something like the present had been prepared by the right hon. Baronet who had preceded him in office. With respect to the opinion of the Judges, he (Viscount Melbourne) felt it his duty to state, that he did communicate with the Judges, and requested their opinion, not in an official manner, but for his own information, and that of the Government under which he acted. However much he might respect the opinion of those Judges, and however much he might think it necessary, on the part of the Government, when they made alterations in the law, to learn from those personages what the effect of those alterations would be, he did not think the House was responsible to those Judges as to the policy of adopting any principles. If he recollected rightly, one or two of those Judges did make very strong objections to the measure. However, some approved and some paid no attention to it at all. Since that, however, he believed alterations had been made in the Bill, which met some of the objections which had been urged by the learned Judges. He did not think that the arguments of the noble Baron were at all applicable to the present stage of the Bill, and he saw no reason founded upon them why the House should not go into the Committee, and by that means put the Bill in as good a shape as they possibly could. It might then be seen what parts there were objections to, and the validity of those objections might then be argued. He agreed with the noble Baron, that considering the present state of Ireland, it was not a time for rash and speculative legislation. He did not think, however, that the present measure was deserving of such a character. He could not conceive anything more likely to make a good impression on the minds of the people of that country than the introduction of a measure which was calculated to give them a favourable view of the impartiality of justice.

The Duke of *Leinster* said, that every person acquainted with Ireland must be satisfied, that some measure altering the law with respect to Juries, was required. The manner in which they were sometimes formed was really disgraceful. He himself had witnessed a man seized upon by chance, on the officer finding he was one short of the number of a Jury, and almost forced into the box. He must, however, acknowledge, the man discharged the duty very creditably.

The Duke of *Wellington* admitted, that a similar measure had been formerly under consideration, but the state of Ireland was now very different from what it then was, which made it advisable to pause before proceeding with the Bill.

Lord *Tenterden* said, that an effect had followed from the English Bill which was not intended by the Legislature, and he hoped that sufficient care would be taken in the present case to prevent the recurrence of the same evil. The evil was this:—By that Bill it was enacted, that the Special Jury Lists should consist of esquires and merchants. But, from the ambiguity of these designations in the present day, it had occurred, that the lists were composed of a class of persons inferior to what was intended. He did not mean in saying this, to depreciate any class of society; but if it was the object of the measure to confine certain duties to certain classes, they should take care to give effect to their intentions.

The Earl of *Roden* thought the arguments for delay irresistible; at the same time he would not disguise from the House, that, whenever the measure should be brought forward, it would be impossible to obtain justice in Ireland: and that the lives, property, and character, of individuals would be without protection from the law.

The Marquis of *Westmeath* thought the present was an unfortunate time for introducing a measure of the kind into Ireland.

Earl *Grey* said, if he could think that this Bill would add to the danger of agitation in Ireland, he certainly should not support it; but he could not imagine, that to improve the administration of justice would have that effect. The consideration which ought to engage their Lordships' attention, was, whether the measure which was proposed was the best that could be devised to effect that object. If there were any objections to the details of the Bill, they could be discussed in the Committee. If, when the Bill should have passed through the Committee, it should appear to require further consideration, he should not object to a proposition of that nature, nor, he believed, would his noble friend near him, if sufficient reasons were assigned for the delay. But as the opinions of the Judges had been taken on the subject, and as the objections now raised were of a political rather than a legal nature, he did not think that they formed sufficient grounds for interrupting the progress of the Bill, and he hoped it would be suffered to go through the Committee.

Their Lordships went into Committee on the Bill.

Lord *Ellenborough* suggested, that when their Lordships should have discussed the Bill, so as to improve it as much as was in their power, it ought to be suffered to remain over for a year, that they might receive information from Ireland as to its probable efficiency. They were at present without the necessary information to enable them to legislate properly, and they had no proof that the Judges in Ireland had been consulted on the subject. He confessed, that he could not look without alarm upon the qualification of Jurors and their names being publicly exposed, which might produce intimidation, and prevent them from exercising their duties in a proper manner. Besides, it would exclude all persons who had not leases, unless they resided in the town where the Assizes were held; and many persons of great respectability, particularly Protestant shopkeepers, would thus be disqualified from serving on Juries, for it did so happen that it was not always in the most important towns in Ireland that the Assizes were held.

Lord *Teynham* said, he should give the Bill his best support, as he was sure its provisions would operate beneficially in Ireland.

Viscount *Melbourne* said, that if the noble Baron (Lord Ellenborough) had any objections to that part of the Bill to which he alluded, he had now the opportunity of moving an Amendment, as the House was in Committee.

The Earl of *Wicklow* proposed an Amendment, extending the qualification to serve as Jurors to certain leaseholders, a portion of whose tenure might be expired.

Lord *Plunkett* saw nothing objectionable in the Amendment, which was agreed to.

Lord *Ellenborough* had several verbal Amendments to propose, but he begged to press upon the House the necessity of giving a measure so important as this Bill, the most careful consideration. He would suggest, therefore, that it should be referred to a Committee up-stairs.

Earl *Grey*, feeling with the noble Lord (Lord Ellenborough) the great importance of the Bill, admitted that it might be the best course to send the Bill to a Committee above stairs.

The Bill referred accordingly, and the House resumed.

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HOUSE OF COMMONS,
Tuesday, April 3, 1832.

MINUTES.] Bill. Read a third time: Consolidated Fund. Returns ordered. On the Motion of Mr. THICKNESSE, of the Number of Footpaths ordered by Magistrates to be closed, or diverted, in the Townships of Dewsbury, Claughton, Out, and Middle Rawcliffe.

GLOVE TRADE.] Colonel *Davies* rose for the purpose of once more bringing under the consideration of the House the situation of the persons engaged in the manufacture of Gloves. When he recollected the lengthened debate that took place when the subject was last before the House, it was with extreme reluctance that he again brought it forward; but he had been induced to do so by the reflection that, since that period, Government had granted an inquiry into the state of the silk manufacturers. He heard the speech of the right hon. Gentleman, the Vice President of the Board of Trade, on that occasion, with much satisfaction, for every word it contained furnished him with the strongest arguments in favour of those manufacturers whose cause he advocated. The right hon. Gentleman, on that occasion, stated facts and used arguments which, if correct, showed that no inquiry, was necessary, and yet he conceded inquiry; whereas, in the case of the glove trade, in which more substantial reasons existed for inquiry he refused it for reasons which appeared wholly inapplicable, the right hon. Gentleman referred to the speech made by Mr. Huskisson in 1826—and used the arguments then employed, but with this difference, that Mr. Huskisson refused to grant the motion against which he used them, whereas the right hon. Gentleman acceded to it. To endeavour to induce the right hon. Gentleman to reconsider the case of the glove trade by bringing forward new facts, which was his main object on the present occasion. The right hon. Gentleman referred to returns to show that, in 1819, the importation of raw silk was 1,444,000 lbs., and that, in 1831, it was 3,771,000 lbs. That, in the former period, there were no silk mills in Manchester, whilst, in the latter, there were twelve. He stated the value of the exports of silk goods for the average of the three years preceding 1824 at 102,000*l.*, whilst, last year, it was 500,000*l.* Strange to say, the right hon. Gentleman argued that the increased importation of raw silk was a proof of the prosperity of the trade, whilst he stated that of skins to be the cause of the distress of the glovers; with singular inconsistency he admitted the distress of the latter, and yet denied them inquiry. He denied the distress of the silk trade, and yet granted inquiry, whilst the only ground upon which inquiry was asked was the distress under which that trade laboured. There was this further difference between the case of the silk manufacturers and that of the glove manufacturers:—all the silk brought into the country was used by them alone, so that the greater or less import of raw silk might be looked upon as an index of their condition; but the amount of the importation of kid skins must not be considered as a proof of the state of the glove trade, since they were used by the shoemaker, the coachmaker, and a variety of other trades, with which the glover had no connexion. The right hon. Gentleman stated the average quantity of skins imported from 1820 to 1824 at 2,632,000, that, in 1830, they had increased to 3,153,000, and, in 1831, to 4,240,000, being an increase, as compared with 1830, of 1,085,000, and, as compared with the averages of the four years up to 1824, of 1,608,000. This might be either a proof of over-trading or prosperity in the importer of skins, but was no proof of over-trading in the glover. He held in his hand a letter from Mr. Brooks, of a house in Bow-lane, which said, 'The surplus of 'skins imported in 1831 is, in our ware-'houses, about 500,000 lamb, and 80,000 'kid; and, in other houses, about 500,000 'lamb and kid—say, in round numbers, 'about 1,000,000 lamb skins, and 100,000 'kid skins, which very far exceeds our usual 'stock at this time of the year. The last 'year's importation of skins was unusually 'large, and I need not tell you that the 'trade was unusually bad.' Further, he had a letter from the house of Birlingham, in Worcester, in which was this passage:

—'There is one circumstance should be borne in mind, and that is, the great falling off in the sale of beaver gloves, which is the staple article in this country. In this city alone there were formerly upwards of fifty manufacturers engaged in this branch of the trade, who, it is calculated, must have made about 6,000 dozen per week. The result of a recent inquiry, made by myself, shows, that there are now only fourteen manufacturers, (partially employed) the average of whose make does not exceed 580 dozen per week. This would throw upwards of a 1,000,000 skins out of use for this city alone. As it regards my own particular trade, I formerly manufactured nothing else, and used to make from 200 'to 300 dozen per week; last year the average quantity per week did not exceed 'fifty-four dozen, and, had it not taken up 'the other branch of the trade, I should have 'had scarcely anything to do. The towns 'of Woodstock, Ludlow, Leominster, and 'Kingston, also Torrington, in Devon, no 'doubt have fallen off greatly in the manufacture of beaver gloves, so that I think 'it may be fairly calculated that 2,000,000 'of skins of this description (the produce 'of our own country) are annually thrown 'out of use.'

This letter offered a practical answer to the statement of the right hon. Gentleman. The falling off in the manufacture of Worcester alone was 267,800 dozen pairs annually; and, taking that of other places at the same ratio, there was a total of 534,000 dozen, being more than six times the amount legally imported from France, and consuming 2,000,000 of skins. But, in order further to show the fallacy of judging of the state of the glove trade by the amount of skins imported, he would show the number actually used at different periods: In the four years previous to 1824 the number of skins used was 2,632,000; in 1831, the quantity imported was 4,240,000; from this must be deducted the skins on hand 1,100,000, and skins re-exported 95,000, giving a total of 1,195,000, which deducted from the amount imported, left 3,045,000 for the quantity used in 1831. The right hon. Gentleman spoke of Berlin gloves having produced a considerable diminution in the manufacture of leather gloves, but ladies did not wear those gloves, and yet the quantity of ladies' gloves manufactured was considerably reduced. This could not be accounted for, except from the great importation of the foreign article. It was further stated, by the right hon. Gentleman, that not 100 dozen pair of gloves were smuggled into the country in the course of the year since the removal of the prohibition; and yet, in the same breath, it was alleged that, when they were totally prohibited, they were smuggled to a considerable extent. If the last assertion was correct, it was evident that, as the facilities for smuggling were now increased ten-fold, it was impossible to suppose that the number smuggled was not greater than during the prohibition. The evidence Ministers had adduced to show that smuggling did not exist was of the most extraordinary description, being no other than that of the smugglers themselves who, of course, denied that they participated in any such contraband traffic. Ministers, poor innocent creatures, were content with the asseverations of interested parties, and were, consequently, ignorant of the real state of the case. He must, however, tell them that, since his former motion, a house in this metropolis had been offered 3,000 dozen pair of French smuggled gloves. This was a fact which he would undertake to prove before a Committee and he had no doubt that other instances might be adduced. Another fact he could state was, that gloves were imported packed in silver paper, in order that they might not soil or stain by laying against each other during the time it might be necessary for the smuggler to keep them before he was enabled to land them, which was never done by the fair trader importing from France to England. Another trick was, to pack men's gloves to resemble women's: these, and many other frauds, could be proved. As a further corroboration of the existence of smuggling, it was a fact that the towns upon the coast scarcely ever sent to the British manufacturer, except for the very best gloves; and yet gloves of all descriptions were to be found in them. It was clear, therefore, they must have been smuggled across the Channel. They might, also, draw a pretty strong inference from the facts which had transpired relative to the house of Leaf and Co., which, for six months prior to detection, paid, on an average, duty upon 1,400 and odd pair of gloves per month; whereas, in the month of February last alone, they paid duty upon 3,300 dozen pair. Indeed, it was astonishing what unexpected facts transpired upon investigations of that kind. The hon. member for Ipswich had stated, on a former occasion, that gloves could be made at as cheap a rate in England as in France. It was true that the best Paris gloves cost about 8*s*. or 9*s*. a dozen; but the cost of making Grenoble gloves, which were imported in the proportion of six or seven to one of the Paris gloves, cost only 4*s*. 7*d*. a dozen; while English gloves of a similar quality cost 8*s*. 8*d*. the dozen. The right hon. Gentleman referred to the glove manufacturers at Yeovil on the former occasion, and had asserted that, since the removal of the prohibition, they had increased from twenty-seven to forty-one; the real state of the case, however, was, that the numbers of manufacturers in 1826 was thirty-six, who made on an average between 400 and 500 dozen pairs per week, while now, although there was an increase of houses in the trade, they made only between 200 and 300 dozen. This was an extraordinary proof of prosperity, and he would leave the right hon. Gentleman to explain it to the House. He trusted he had said enough to prove the necessity of inquiry, notwithstanding his failure on the former occasion. If a Committee was granted, and it could be shown, after the examination, that no legislative measure could be devised to grant redress to the individuals connected with this trade, they would be satisfied; but, unquestionably, if their request was refused, they would have considerable reason for dissatisfaction. If Ministers wished to stand well with the public out of doors, if they had a proper sense of justice, and were anxious to prove that they were not the mere creatures of expediency, they would accede to his Motion. Those who were most deeply interested in this question were honest and loyal people, who had never joined in those acts of outrage which individuals connected with other branches of manufacture had indulged in; but if they found that justice was denied to them, then he greatly doubted whether they would much longer preserve their peaceable and loyal deportment. The hon. and gallant Member concluded by moving that "a Select Committee be appointed to inquire how far the glove trade of the United Kingdom is injured by the introduction of smuggled goods, and concerning the best means of affording protection to the trade."

Mr. *Robert Gordon* said, he rose to second the motion, as he conceived that there was a positive call for the interference of Parliament, in order that the state of the glove trade should be fully inquired into, and the cause of the distress by which it was at present weighed down fully developed. It had appeared to him, upon the statement of the petitioners, and before he heard the speech of the right hon. Gentleman, that the case of the glove manufacturers in England required the interference of the Legislature. That speech had not altered the impression upon his mind for on that occasion the right hon. Gentleman had made statements which had been since asserted by the manufacturers of Yeovil to be inconsistent with the fact, and he, therefore, felt himself fully justified in pursuing the course he now adopted, in order that an inquiry should be instituted into the correctness of the statements made on one side and the other as to the actual state of the trade.

Mr. *Poulett Thomson* said, he had not on the present occasion, heard one argument in support of the Motion which he had not answered when the question was formerly before the House. The gallant Colonel seemed to think, that a Committee had been granted to inquire into the state of the silk manufacture, merely on account of the distress which prevailed in that branch. Now what he had stated as his reason for agreeing to that Committee, was distinctly the reverse. It was true, he admitted, that distress did exist; but he added, that though he did not agree in the views of those who supported the Motion, and did not coincide in the correctness of the grounds on which it proceeded, still he was of opinion that there were special circumstances in that case which justified the granting of a Committee. Such circumstances did not exist in this case? and, therefore, he was not prepared to grant a Committee, although he was certain that the principle on which Ministers acted would come out of it triumphantly. The suspension and unsettlement of trade which would inevitably occur during such an inquiry, greatly overbalanced in his mind any benefit that could possibly result from it. In the case of the silk manufacture, the duty on thrown silk, and the great extent of smuggling that was notoriously carried on, afforded very fair reasons for granting a

Committee; but here he saw no special circumstances whatever that ought to induce the House to grant a Committee. He could not imagine that any advantages would result from such a proceeding; but, on the other hand, he thought the trade would be subjected to very great inconvenience by the appointment of a Committee. He never denied that partial and local distress existed in the glove trade; but he had proved, nevertheless, that the trade had considerably increased on the whole, and he had brought forward the increase of manufacturers at Yeovil as a proof that such establishments were extending, not to show that each of them made as many gloves at present as each had done when there was not so many of them. The hon. and gallant Colonel had observed, that, on the 1st of January last, there were 1,100,000 skins in warehouse. It should, however, be observed, that these skins were usually imported in the latter end of the year, for the purpose of meeting the demand for the spring and summer months, and, as the import had been larger than at any former period, it was to be expected, that there would be an increase of the skins in the warehouses. At the same period in 1830, he found there was a stock of between 500,000 and 600,000, so that the accumulation of stock was not more than 400,000, instead of 1,000,000, according to the statement of the hon. and gallant Colonel. This was no more than could be expected from the overtrading which had taken place. It had been made a matter of complaint that the trade in beaver gloves was almost annihilated. But could the Legislature do any thing to remove the cause of that complaint? Could they, by any measure of theirs, restore that branch of trade to Worcester? The falling-off in that branch of the trade might in some degree, be accounted for by the quantity of silk, cotton, and woollen gloves that were now worn. The hon. seconder of the Motion had said, that the manufacturers denied the correctness of his statements. Now he would say, "Do not adopt the assertions of the manufacturers, but take as your data those documents which are before Parliament—namely, the Custom House returns." A manufacturer had been pleased to write to him an abusive letter, denying his statement that 4,030,000 skins had been imported last year. He in consequence moved for the return, which completely bore out that statement. The same individual then turned round and said, "O! that proves nothing, for one-third of those skins were exported." This assertion induced him to move for a return of the number of skins exported, and he found that they amounted to only 44,000 lamb skins, which were never made into gloves, and, therefore, did not affect the present question. As to smuggling, he had formerly shown, that, looking to the amount of duty and the cost of the gloves, it was much better for a party to pay the duty than to run the risk of smuggling the article. The duty of twenty-two and a-half per cent was much less than the smuggler would be contented with. There might be some few pair of gloves introduced by passengers, but there was no such thing as that wholesale smuggling of gloves which was practised with respect to some other articles. The hon. and gallant Colonel said, he could prove large quantities of smuggled goods to have been offered for sale. Let him give that evidence to the Customs, or to the Board of Trade, and he might rest assured that the matter would be thoroughly inquired into. He had read almost all the petitions presented upon this subject, and there was scarcely one of them which did not require prohibition; but his hon. friend was not prepared to go that length. The only ground on which the House could grant a Committee was the expectation that good would result from it. It could not grant a Committee to satisfy this or that party, but with a view to some general public benefit. But what practical beneficial result could be obtained by the Motion. His hon. and gallant friend would say he wanted to stop smuggling; but the only way of effecting that, was to lower the duty. If his hon. and gallant friend was not prepared—as certainly the House was not prepared—to re-adopt the principle of prohibition, he had no ground upon which to stand. A great portion of the distress under which the glove manufacturers laboured, arose from the large consumption of what were called "Berlin gloves." His hon. friend, the member for Ipswich, had in the former debate upon this subject, stated to the House the large amount to which that consumption extended; but he had since reason to know that his hon. friend's calculation was even under the mark. A calculation had since been made by persons well-acquainted with that trade, from which it appeared that the consumption of Berlin gloves in the last year amounted to 300,000 dozen—that was to say, that 3,600,000 pair of Berlin gloves were made in that time in this country. He should not trouble the House with any further details, but, after the full discussion this subject underwent on a former occasion—after the refusal of this House, then, to grant a Committee—after the discussion which had taken place in another quarter upon it—he trusted the House would not accede to the present Motion. The argument drawn from the House having granted a Committee in the case of the silk trade, ought not to weigh in favour of a Committee in the present instance. In the case of the silk trade, the Committee was granted on special grounds; but in the present instance, there were no special grounds, and the granting of a Committee would only be attended with the greatest inconvenience to the trade itself. He had no objection, as suggested by the hon. member for Corfe Castle—to the appointment of a Committee to inquire into smuggling generally, because that would be done with a view to general fiscal objects, and not applying, specifically, to any particular trade, would not disturb the usual course of speculation nor cause that disorder which granting the present Motion infallibly must produce. But such not being the proposal of his hon. and gallant friend, as, indeed, it was already in the hands of another hon. Member, he must meet his Motion with a direct negative.

Mr. *Robinson* would not occupy much of the time of the House in expressing his approbation of the Motion to which he was bound to give his support. The right hon. Gentleman said, that the subject had been decided after ample discussion; but he overlooked the important fact which the glove trade could not overlook, viz. that since that discussion, the House had granted a Committee of inquiry into the state of the silk trade; so that, if a Committee were refused in the case of the glove trade, the only reason would be, that the Ministers assented in the one case, and thought proper to refuse in the other. The right hon. Gentleman laboured to make out a distinction between the two cases; but there was obviously none. Both trades complained of the intervention of the foreign manufacturer. The right hon. Gentleman said, that his hon. and gallant colleague would not go the length of prohibition; and, therefore, was not entitled to ask for a Committee, because the manufacturers wanted prohibition; but the right hon. Gentleman granted a Committee to the silk manufacturers, although they also wanted prohibition. It was natural that the suffering parties should differ among themselves, as to the mode in which they could be relieved; but as they all showed the gradual decay of their manufacture, it was the duty of the Government to make an inquiry into their statement. The only answer to their complaints, however, was a repetition of promises of improvement in their trade, from the adoption of the new system, which had been repeatedly falsified during the last eight years. The right hon. Gentleman said, that the suffering was temporary. Good God! Talk of a temporary suffering which had lasted since 1824—had been continually increasing—had now reached such a degree of intensity, that it could no longer be borne. He did not deny that a part of it was produced by changes of fashion; and his constituents were not so unreasonable as to complain of the effects of competition on the part of their own countrymen, but they complained that the distress thus produced, of itself sufficiently appalling, should be aggravated by the admission of foreign gloves. All his Majesty's Ministers seemed to attach more importance to their own consistency than to the distress of the people. They appealed to the hon. member for Ipswich, as a great authority, and, certainly his authority was great; but his statement was received with suspicion, because he was interested in the importation of foreign gloves. The manufacture of gloves had in it much to recommend it; it was purely domestic; it caused no large congregations of people, giving opportunity for the machinations of sedition; but women and children were supplied with occupation at home, the employment being moral in its tendency, and deserving of the encouragement of the Legislature. The right hon. Gentleman said, that there was no smuggling, and that it was useless to go into an inquiry, unless it was to prohibit the importation of foreign gloves. He was prepared to say, looking at the condition of the labouring poor, and remembering that 100,000 of them were engaged in the manufacture of gloves, that it was the duty of Government to consent to the prohibition of French gloves. He was no advocate for prohibition or high duties; but both were necessary evils, in consequence of the amount of our taxation, and the Corn Laws. Enough, he thought, he had made out to justify the House in assenting to the Motion, and he should have great pleasure in giving it his warmest support.

Mr. *Sanford* said, that though he had voted against the Committee that was last proposed on this subject, he felt inclined to support the present Motion, since a Committee to inquire into the silk trade had in the interim been granted. He rose, however, chiefly to say, that, as the right hon. Gentleman, the Vice President of the Board of Trade's, statements had been controverted with respect to the increase of the glove trade at Yeovil, he was also about to show that the right hon. Gentleman had also been mistaken in other facts connected with that place and the glove trade. The right hon. Gentleman had asserted that the population of Yeovil had increased twenty-seven per cent between 1821 and 1831; it certainly had done so, but, by looking at the number of houses built, he had ascertained that the great increase was up to 1827, at which period the glove trade began to decline. As a further corroboration of these facts, he must add, that, between 1811 and 1821, when the glove trade was in a state of great prosperity, the population had increased fifty per cent. With respect to gloves themselves, he found that the importation from France, in February 1827, was 2,000 dozen pair, but in the same month, in 1831, it was 9,000 dozen. He feared, from these statements that the right hon. Gentleman had taken a partial view of the case, and it was only in a Committee that the question could be thoroughly sifted. He was, therefore, prepared to give the hon. and gallant Officer his support.

Mr. *Morrison* denied that the distress of the manufacturers arose from the introduction of foreign gloves, as the amount of that introduction was not more than from five to seven per cent on the total consumption of the article; and he thought that that proportion could hardly have been less when French gloves were contraband, and introduced solely by the smugglers. In his opinion, the best thing for the Legislature to do would be, to take off the import duty on the French dressed skins. It was generally admitted that we could not dress skins so well as the French; but if the French skins were allowed to enter this country free from duty, he thought that there would then be no reason why the English manufacturer could not compete with the French manufacturer. One great reason, however, for the distress was that we had lost our export trade. Formerly, of 534,000 dozen pair of gloves manufactured at Worcester, nearly the half were exported, principally to the United States, but the fashion of wearing French gloves had obtained there, as well as other places to the utter loss of that branch of our trade. He agreed with the right hon. Gentleman (Mr. P. Thomson) that there was very little smuggling going on in gloves, and for this simple reason—that it was not so profitable to the smuggler to smuggle gloves as silk, as the former were much more bulky than the latter.

Mr. *Hume* thought that it would have been much better if the gallant Officer had postponed his Motion for a Committee, and moved an instruction to the Committee on the silk trade instead, to inquire into the state of smuggling in gloves as soon as it should be unoccupied on the question of smuggling in silk. He agreed with the hon. member for Ipswich, that the glove trade of this country was very little injured by the import of gloves from France, as the quantity imported was comparatively very small, and chiefly of the finest sort, such as ladies would at all events procure from the illicit trade, if they were not to be obtained from the fair dealer. He had no objection, however, to inquiry, and would support the hon. Member's Motion. He wished, however, before sitting down to protest against its being asserted that those who opposed the prayer of these petitions were indifferent to the distress of the glove trade. Such an assertion was a libel. If the arguments of the hon. member for Worcester were followed up, they would speedily put an end to foreign commerce altogether. The hon. Member said, that we ought to shut out the foreign article. Let this principle be once generally acted on, and no country would so soon become beggared as England—it was England, above all the other countries of the world, that imported the raw material, and exported the manufactured article, for which she received the price of her labour. And yet, because he stated this undeniable fact, he was denounced as a theorist, whose principles were leading the way to pauperism and crime. The hon. Gentleman was the person who promoted dissatisfaction, by attacking that commerce which enabled us to give our manufacture for the raw produce, after substracting the full value of our labour. An hon. Alderman, the other day, stated, that he could produce an invoice for the purpose of showing that one party alone had imported 200,000 dozen of French gloves. In the Committee, he had called on the hon. Alderman to produce the invoice, but then the party was not willing to come forward. The hon. Gentleman had observed, that the population connected with the glove trade was moral and quiet; but the whole must be looked at, and did he think that prohibition would be the means of increasing the morality of the country, when it would cover our coasts with smugglers? He had no hesitation in saying, that we should reduce the duty on every foreign article to that scale which should take away from the trade any inducement to deal with the smuggler; and he also agreed with the hon. member for Ipswich, that we should take the duty off the raw article, so that our manufacturers might be able to obtain their skins on the same terms as in France.

Mr. Alderman *Waithman* thought that every word which had fallen from the hon. member for Ipswich went to prove the necessity for appointing a Committee. He admitted the distress, and it did not arise, according to his statements, from the French trade: that was of all others, the reason why they should go into the Committee to ascertain whence it did arise. With respect to these French gloves, they were of no benefit, they injured the manufacturer, and were of no profit to the trader, being chiefly used by him as a blind to make the public suppose cheap goods were sold. The trader bought gloves at 12*s*. 6*d*. and 13*s*. a dozen, and frequently retailed them at 1*s*. a pair. The hon. Gentleman, the member for Ipswich, could not deny this; for he had himself done it at his recommendation; thus selling the article at twenty per cent under prime cost, the hon. Member having assured him that it was a very cheap way of advertising. The hon. Gentleman told the House that we did not now export gloves as we used. That was a reason why we should not admit the foreign article; for, was it not enough to have to encounter one difficulty, without, of our own accord, adding a second? Besides, the French did not take a shilling of our manufactures. The hon. member for Middlesex, indeed, would talk about sailing to Mexico to sell our cottons, and to get gold in exchange, but all that was absolute nonsense and absurdity! No one till now ever talked of opening the trade without an equivalent. The only question in Mr. Pitt's time was, as to there being an equivalent; but it was admitted, on all hands, that if there was no equivalent, there ought to be no trade. The hon. member for Ipswich said, that the manufacture of cotton gloves hurt the leather trade; but if that were so, it was only an additional reason for not admitting the foreign article to make the matter worse. As to the fact of there being distress, that was sufficiently shown by the wives and the children of the labourer being out of employ, and by our streets being filled with women who are prostitutes, because they could not gain an honest livelihood. And this was what arose from the wretched philosophy of the cold-blooded misanthropes of the day! As to the Committee up-stairs, he did not believe that it would arrive at any useful result; for the best evidence was palpably and unjustly shut out. However, he did not want to debate that; and would, therefore, only add, that, if Gentlemen thought they were right, and that the way to give food to our starving labourers was by letting in upon them a flood of foreign manufactures, let them, at all events, prove that in a Committee. They knew they could not, and, therefore, dared not grant the gallant Officer's Motion. He, however, should give it his most hearty support.

Earl *Grosvenor* said, that, having succeeded in his own Motion for a Committee on the silk trade, he felt himself bound also to aid a similar object with respect to gloves, wherefore he would support the Motion. He would take the liberty to add that no set of individuals could show more attention and a greater desire to elicit the truth than the Gentlemen composing the Committee on the silk trade.

Colonel *Davies* begged leave to remark, in answer to the right hon. Gentleman, the Vice President of Trade's assertion that he had made no case, that he was prevented from doing so by the right hon. Gentleman's own act. He could only assert that smuggling existed to a great extent, and offered to prove it in a Committee, but he was denied that opportunity. The real cause of the denial of his Motion was, that the glove trade was not supported by such powerful interest in that House as the silk trade, yet it was equally entitled to consideration. He should, therefore, persist in his Motion.

The House divided: Ayes 26; Noes 44—Majority 18.

List of the AYES.

Astell, W.
Bankes, W.
Baring, Alex.
Blaney, Hon. C.
Buck, L. W.
Burge, W.
Clive, Hon. R.
Copeland, Alderman
Courtenay, P.
Foley, Hon. T.
Foley, Edw.
Freshfield, J. W.
Grosvenor, Earl
Hotham, Lord
Hume, Joseph
Langton, W. G.
Luttrell, J. F.
M'Killop, J.
Ross, C.
Sanford, A.
Somerset, Lord G.
Spencer, Hon. F.
Stormont, Viscount
Stewart, E.
Waithman, Alderman.
Wason, R.
Wilks, J.

TELLERS.

Davies, Colonel.
Robinson, G. R.

PLACE FOR HOLDING THE NORFOLK ASSIZES.] Mr. *R. Grant* would trouble the House, but very shortly, in bringing the subject of his notice before them, and did not anticipate that it would on this occasion give rise to any discussion. The measure he wished to introduce had for its chief object the holding of the Assizes for the county of Norfolk twice a-year in the city of Norwich, and putting an end to the practice of having the Lent Assizes holden at Thetford. The effect of this would be, two gaol deliveries in Norwich, an object in itself of great importance every where, but particularly there, where it now happened that prisoners were frequently confined eleven months before they were brought to trial. By a Statute passed in the reign of Henry 2nd, the Assizes for every county were directed to be held in the county town of each county, and by another passed in the second year of Richard 2nd, the Judges were empowered to fix the holding of Assizes in other considerable towns besides the county towns, if the circumstances of the counties should render it advisable. In consequence of the common operation of these two statutes, some of the counties had their Assizes at the county towns only, while in others, the Assizes were held alternately, at the county town and at some other large town in the county. That was the case with the county of Norfolk: but whatever was the reason for which the Judges originally appointed the Assizes to be held at Thetford, the holding of them there had now become a great inconvenience. Thetford was a small town at an extremity of the county, and it was surrounded by a thinly inhabited country, whereas Norwich was a large city, and in the centre of the wealth and population of the county. From a variety of calculations it appeared, that the convenience to the county generally, both as regarded population and distance, was double in the case of Norwich as compared with Thetford. Under those circumstances, he begged leave to move to bring in a Bill to remove the holding of the Norfolk Assizes from Thetford to Norwich.

Mr. *Baring* observed, that Assizes had been held at Thetford from the year 1264 up to the present time. He admitted all that had been said with respect to Norwich, but still must ever contend against any statement which would represent Thetford other than as a thriving place. He did not feel the force of the arguments for holding the Assizes at the central point of the county; and, even admitting their validity, he saw no reason why Norfolk should be singled out for the trial of a geographical experiment. Let there be a general re-division of counties, as at present with respect to elections, and not a Bill for a single exception case like the present. Besides, admitting the expediency of the right hon. Gentleman's Motion, he thought the prerogative of the Crown a more desirable mode of attaining its end than a legislative enactment.

Sir *John Sebright* said, he must support the Motion, because, to have justice administered in the centre of a county would save time, trouble, and expense. At the same time, he thought that much benefit, by way of example, would be derived from the executing criminals at the place of their crimes, and not promiscuously at the Assize town.

Mr. *Ridley Colborne* opposed the Motion, urging that, if any change were necessary, which he denied, it ought to be effected by the prerogative of the Crown, and not by an Act of Parliament. The question had already been discussed, and decided in the year 1825.

Mr. *Hume* would not pretend to say

whether what was proposed should be accomplished by the King in Council, or by Statute; but of this he was certain, that it was most expedient to hold the Assizes only at Norwich, as the most central and populous situation. The counties were differently divided when Thetford had been named as one of the places at which Assizes were to be holden.

Mr. Wason also supported the Motion.

Leave given to bring in the Bill.

MAYO MAGISTRACY.] Mr. *Ruthven* moved for a copy of the memorial presented to the Lord Lieutenant of Ireland, by William Murphy, of Mayo, complaining of very severe and illegal punishment inflicted upon him by order of certain Magistrates in that county, and of the official correspondence which that memorial had occasioned. His object was, to bring under the notice of Parliament the very oppressive conduct of those Magistrates—particularly of the reverend Mr. Stoney—towards the memorialist, which was too true a comment upon the memorable declaration of Lord Redesdale, that, in Ireland, there was one law for the rich, and another for the poor. On the 13th of December last, a man was brought before the Magistrates charged with stealing turf, on which occasion Murphy, who was a respectable farmer, made use of some strong expressions relative to the conduct of the reverend gentleman already mentioned. This excited the anger of the Magistrates, who ordered him to be twice confined in the public stocks, under circumstances of unnecessary violence and severity, for the offence of "insolence towards the reverend Mr. Stoney;" that insolence amounting to reprobating that reverend Magistrate's zeal in the exaction of his tithes. Not content with thus twice inflicting upon Murphy the punishment of the stocks, the reverend gentleman compelled the prisoner to carry the stocks himself from the place of his confinement to that in which they were usually kept, and his cruelty was abetted by his brother Magistrates.

Mr. *Stanley* was free to admit, that, on inquiry by the Lord Chancellor of Ireland, into the circumstances of Murphy's case, that noble and learned person declared, in an official communication to the Lord Lieutenant of the county of Mayo, that the conduct of the Magistrates was "intemperate and highly indiscreet." He, however, did not think it so culpable as to induce him to deprive those gentlemen of the commission of the peace; and, therefore, left it to the Marquis of Sligo, the Lord Lieutenant of Mayo, to formally reprimand them for their misconduct. He could not sit down without observing that it appeared to him, that the circumstance now under consideration afforded a sufficient proof of the excellence of the plan by which Lord Lieutenants were established in the counties of Ireland, and the advantage of having a resident person of high trust to mediate between the Lord Chancellor and the Magistrates.

Colonel *Conolly* believed that the Lords Lieutenant of Counties' Act would have been highly beneficial, if it had been carried into effect in the manner contemplated by the House, when it gave that Bill its sanction, namely, by resident Lord Lieutenants being appointed, but, in several counties, the persons appointed to that office were not residents, and, in others, they were only to be reached by passing through the whole extent of the county. He was ready to admit, however, these remarks, did not apply to the Lord Lieutenant of Mayo, who had acted with great propriety on the Motion then before the House.

Mr. *John Browne* begged to assure the House, that the noble Marquis, the Lord Lieutenant of Mayo, was most anxious that every inquiry should be made into the transaction. The difficulty, so far as his noble friend was concerned, arose from his intimacy with the parties, but that did not prevent him from executing his duty for a moment. While he was on his legs, he begged leave to say, that he considered the stocks to be a mode of punishment unsuited to the present age, and, that he much wished to see them abolished.

Mr. *Crampton* said, that, although a Lord Lieutenant of a county had no direct authority to dismiss a Magistrate, nor even to institute a regular inquiry into his conduct, that alone being the privilege of the Lord Chancellor, yet there could be no doubt, that if any case of oppression was represented to him, it was his duty to make the same known to the Lord Chancellor, with whose concurrence the Magistrate could be dismissed.

Mr. *Goulburn* could not concur in the opinions of the Solicitor General for Ireland, that a Lord Lieutenant had power to dismiss a Magistrate fromthe Commission, Mr. *Crampton* explained, that he had not said that such power was vested in the Lord Lieutenant of a county by virtue of his office, but that his recommendation of such a course would induce the Lord Chancellor to strike a Magistrate out of the Commission.

Mr. *Jones* had no doubt that, as sometimes occurred even in London in the haste of business, a Magistrate might unintentionally make an illegal decision in Ireland also, and perhaps, that was the case in the instance now complained of. But he thought the matter out of which the Motion arose was too trivial for the attention of the House.

Mr. *Hunt* approved highly of the conduct of the Lord Lieutenant of the county of Mayo, in calling the Magistrates to an account for their illegal and oppressive conduct. He wished to see the same course taken when a poor man in England was oppressed by a Magistrate, which was a thing of no rare occurrence. People talked of the trial by Jury—not bearing in mind how often that was superseded in the case of poor men, who were liable to be sent to prison at the will of Magistrates for trivial offences. [*Hear, hear.*] Gentlemen might say "hear, hear!" but he repeated that poor people were sent to the treadmill continually for three months without trial. [*Laughter.*] Gentlemen might laugh. But it was a thing that was done everlastingly by the Magistrates. Surely there was no person in that House who did not know that such things were constantly occurring; and, when poor men suffered such treatment unlawfully, then they were told by that House, that the Courts at Westminster were open to them.

Major *Macnamara* said, that his noble friend the Lord Lieutenant of the county of Mayo was the last person whom he should suspect of committing any act of severity or oppression. At the same time, he entirely dissented from the statements of his hon. friend the member for Mayo, that the appointment of Lieutenants of counties would tranquilize Ireland, as it was in vain to expect peace in that country until tithes were extinguished.

Mr. *Ruthven* said, he must express satisfaction at what had been stated by the right hon. Secretary. But he could not say so much with respect to the remark of the hon. and gallant Officer who had treated the illegal confinement of a respectable man by the Magistrates, as an affair of a trifling nature; so different was his opinion that he thought the case was one which fully justified him in bringing it under the notice of Parliament; but he would not, after what had transpired, press his Motion.

Motion withdrawn.

EMPLOYMENT OF TROOPS (IRELAND).] Mr. *O'Ferrall*, in moving for a copy of the correspondence with Dublin Castle, requiring troops to be sent into the county of Kildare, on the days appointed to hold meetings to petition against the tithe system, at the following places:—Narraymore, Suncroft, Ballitore, Monastereven, and Rathmore, said, if it should appear that no application to the Lord Lieutenant of the county had been made, previously to the troops being sent, he thought he had just grounds of complaint, as one of the Members who had supported Government in the Lords Lieutenant Bill, fo he had understood, as one of the ground for those appointments, that all correspondence relating to the peace of the respectiv counties was to go through the hands o the Lords Lieutenant, and that no othe communications were to take place. If i should transpire that private representa tion had been made and acted upon, h should be fully warranted in taking notic of the proceeding.

Mr. *Stanley* regretted that he could no consent to the Motion, for if there wer any communication confidential, it wa that in which Government acted as to th disposition of troops. This power ha always been acted upon by Governmen He might, however, say this much, that i the county of Kildare great excitemen prevailed, and apprehensions had bee entertained that the peace of the countr would be violated before the troops wer sent into that county. He was incline to pay the greatest attention to any repr sentation from the Lord Lieutenant of th county of Kildare, but still he thought was too much to call for the reasons whic induced the Lord Lieutenant of Ireland send a body of troops into any part of th country. For these reasons he objecte to the Motion.

Motion withdrawn.

REGISTRY OF DEEDS (IRELAND) BIL The House went into a Committee on t Registry of Deeds (Ireland) Bill.

Mr. *Jephson* moved that the salary

the registrar (Mr. Moore) be 1,500*l.* a-year. That gentleman was appointed in January 1830, and had been given to understand that he was to receive that amount; indeed, a Treasury minute to that effect was transmitted to him. But, since the present Government had been in office, they had reduced the salary to 1,200*l.* a-year. By this Bill, the duties of the office would be very much extended, and the responsibility increased, he hoped, therefore, that the original rate of salary would be restored.

Mr. *Leader* said, he must oppose the proposed increase. He had no doubt, that many gentlemen perfectly competent to perform the duties of the office could be had at the reduced salary of 1,200*l.* If Mr. Moore felt any objections to the increased responsibility said to be imposed upon him by the Bill, he might, of course, give up his office.

Mr. *Crampton* said, that Mr. Moore had an equitable right to 1,500*l.* a-year. He had been appointed at that salary, and a Treasury minute of the late Government was passed to that effect, though it appeared that another Treasury minute of the same date was recorded, by which the salary was fixed at 1,200*l.*, which Mr. Moore had since received under protest.

Mr. *Spring Rice* stated, that the minute of Treasury fixing the salary at 1,500*l.*, he understood, had not passed the Treasury at all, but had been issued by a mistake of the clerk. He denied that Mr. Moore had any equitable claim to 1,500*l.*, but, considering the changes which had been made in the office, the additional duty imposed upon the registrar, he thought the public would gain more than the 300*l.* a-year. If it was the case of a newly-created office; he should think 1,200*l.* a-year enough.

Mr. *Wyse* supported the Motion, on the ground that, as the duties which Mr. Moore had undertaken to discharge had been increased, the salary ought also to be increased to a fair compensation for the additional duties and responsibilities imposed by the Bill. He, however, thought the increase of salary should be confined to Mr. Moore only, and that provision should be made that his successor should not have more than 1,200*l.* per annum.

Mr. *Sheil* felt it his duty to move as an Amendment, that the sum of 1,200*l.* should be inserted in the clause in place of the sum of 1,500*l.* He could not acquiesce in the opinion that increase of duties should call for an increase of salary, when he remembered that the assistant barristers for counties in Ireland, notwithstanding the great increase to their labours, arising from their now discharging the troublesome duty of registering freeholders, had been granted no addition to the salaries they were before paid. In a recent appointment a reduction had been made in the salary for the discharge of onerous responsible duties; he alluded to the case of Mr. Goold, an eminent member of the Bar, who had been appointed a Master in Chancery in Ireland at a very reduced salary.

Mr. *Lefroy* supported the original Motion. He conceived Mr. Moore had an equitable claim to the salary of 1,500*l.* per annum, for the contract between the Treasury and that gentleman was complete —it was ratified by the Treasury minute— a solemn document, as he thought, and one that it was too much to say should be set aside on the mere statement of a Treasury clerk that it was a mistake.

Mr. *Jephson* said, he was completely in the hands of the House, and he felt that, in thus bringing the matter before it, he had discharged his duty to the public.

The Committee divided on the Amendment: Ayes 23; Noes 21—Majority 2.

House resumed.

HOUSE OF LORDS,

Wednesday, April 4, 1832.

MINUTES.] Petitions presented. By Viscount SIDMOUTH, from Cornwall, against the Reform Bill:—By a NOBLE LORD, from the Inhabitants of Cong, for a Revision of the Tithe System in Ireland.

SENTENCE OF DEATH EXPLANATION BILL.] The Earl of Shaftesbury moved the Order of the Day, for going into Committee on this Bill.

Lord *Wynford* said, that a practice had recently prevailed by the means of which bills of much importance had been pressed on their Lordships' House, with such haste as to prevent a due consideration of them, and even before the bills themselves were printed, such was the case with the measure then before the House. He did, therefore, trust the Committee on the Bill might be postponed until the machinery attached to it was fully understood. It appeared to him that the effect would be to limit the King's prerogative of mercy in certain cases.

Lord *Tenterden* entertained considerable doubt whether the provisions of former laws ought to be extended in the manner contemplated by this Bill. He fully agreed, however, with his noble and learned friend, that further time for consideration should be allowed.

The *Lord Chancellor* agreed with both his noble and learned friends, that the Bill deserved much consideration. He begged, however, to say, it was not introduced by Ministers, but by a worthy Alderman of the City of London. He thought his noble and learned friend who had first objected to it was in error when he asserted that it would abridge the prerogative of the Crown, in respect to its most valuable prerogative, that of mercy, its object being solely to do away with the painful necessity of passing sentence of death, in cases where that extreme penalty was not likely to be carried into execution.

Lord *Wynford* said, his object was, to show that all mercy proceeded from the Throne, and, therefore, he wished the Bill to be postponed, to ascertain whether a clause might not be introduced requiring that, in all cases, the King's assent to the sentence being recorded and not pronounced, should be signified.

Committee postponed.

HOUSE OF COMMONS,

Wednesday, April 4, 1832.

MINUTES.] Bill brought in. By Mr. CRAMPTON, to continue for a limited time, the Acts for the Relief of Insolvent Debtors in Ireland.

Returns ordered. On the Motion of Mr. SHAW, of the several Hospitals in Ireland, for the Reception of Fever Patients only, receiving Public Aid either from Parliamentary Grant or from Local Assessment, with various particulars:—On the Motion of the SOLICITOR GENERAL, of the Duties performed by the present and former Secretaries of Bankrupts, before the passing of the Act constituting a Court of Bankruptcy, and of the Number of Hours in each Day in which they were respectively engaged in the Public Duties of the Office; and also a Return of the Number of Clerks and other Officers employed in the Secretary's Office, before and since the passing of the Act, and of the comparative attendance of the Secretary at his Office, before and since the passing of the Act; of the Number and Names of other Offices or Appointments held by the present or former Secretaries, while being Secretary of Bankrupts, or subsequently to their quitting that Office, to which any of them may have been appointed by the LORD CHANCELLOR; of the Hours of Attendance of the last Deputy Secretary of Bankrupts on the Duties of his Office, and a specification of what such Duties were; of the Number of Bankrupt Petitions heard in Court by the LORD CHANCELLOR and the Vice-Chancellor, respectively, during the years 1829, 1830, and 1831:—On the Motion of Sir JOHN HOBHOUSE, of the Number of Persons on the 17th March last, who had been Rated to the Relief of the Poor of the Parish of St. James's Westminster, the whole year immediately preceding, and had paid all the Parochial Rates, Taxes, and Assessments, due from them, except such as had become due within the Six Months immediately preceding; of the total Number of Declarations or Votes delivered to the said Churchwardens for and against the adoption of the Act passed in the last Session for the better Regulation of Vestries, &c., specifying the Number (after the summing up thereof) rejected, and the Number given for, and the Number given against, the adoption of the said Act, accepted or allowed by the said Churchwardens.

Petitions presented. By Mr. ROBINSON, from the Retailers of Beer, in Worcester, for extending the Time for keeping open their Houses; and from the Members of the Council of the Political Union of St. Matthew, Bethnal Green, in favour of the Factories Regulation Bill:—By Mr. WEYLAND, from the Inhabitants of Potton, in favour of the Poor Allotments Bill:—By Sir FRANCIS VINCENT, from the Inhabitants of St. Alban's, for the Abolishment of Slavery:—By Lord ACHESON, from the Parishioners of Maree, Galway, for a Provision in the Irish Reform Bill to preserve the peculiar Franchise of Galway; from the Presbyterian Congregation of Brigh, against the New Plan of Education for Ireland, and from the Protestant Dissenters of Killeavey, for the Abolition of Tithes:—By Mr. EWART, from certain Hotel Keepers, for Relief from their Liability to make Restitution for the Loss of Property by their Guests:—By Sir EDMUND HAYES, from the Archdeacon, Clergy, and others of the Diocese of Raphoe; from the Presbyterian Congregations of Latterkenny, and Upper Moville; and by Mr. JAMES E. GORDON, from Bandon, Cork, against the New System of Education in Ireland; and from Tullevar and Templemartin, signed chiefly by Catholics, in favour of the Kildare Street Society.

COLONIAL SLAVERY.] The Sheriffs of the City of London presented a petition from the Lord Mayor, Aldermen and Common Council of the City of London, approving of the Orders in Council with respect to the West-India Colonies, and praying an amelioration of the present condition of the slave population of the Colonies, and the eventual Abolition of Slavery.

Mr. *Hume* could not remain silent on the present occasion. He was sorry so respectable a body as the Corporation and Commor Council of the metropolis should have approached the House with such a petition, if he understood it correctly, as that just presented. He begged to protest against the Orders in Council approved of by the petition, by which discriminating duties were to be enforced as a punishment, which would prove a complete violation of property, if any property could be said to b in the West-India colonies.

Mr. Alderman *Wood* said, the Corporatior of London had always expressed liberal feel ings and principles, and their great object a present was, to do away with the system o slavery. He begged to move that the pe tition be laid on the Table, and be printed

Mr. Alderman *Hughes Hughes* said, h had been requested by the enlightened bod from whom this petition proceeded to sup port its prayer, and he had much pleasure i doing so, for his own opinions coincide with those expressed with it, and he ad mired the moderation of the tone of th petition, as well as of the Orders of Coun cil. He hoped the same moderation would be imitated by all parties in that House, when the important subject of slavery came to be discussed.

Mr. Alderman Waithman supported the prayer of the petition,

Mr. Alderman *Copeland* questioned the prudence of the Corporation of London in coming to the conclusion expressed in this petition. He knew that those citizens who were connected with the colonies viewed every measure which was taken with regard to them, with considerable alarm; and none more so than the Orders in Council, to which reference had been made, as they considered that those Orders had a tendency to injure the colonies, and the shipping trade of the country. Whenever the great question of slavery should come before the House, he should be prepared to offer his sentiments upon it; he begged, however, to say at present he was no advocate for the existence of slavery, but he thought still that the Orders in Council were not calculated to ameliorate the condition of the negroes in the colonies, and, therefore, he could not give the petition his support.

Mr. *Dixon* said, that notwithstanding the eulogy which had been bestowed upon the Orders in Council, the noble Lord, the Chancellor of the Exchequer, had expressed his intention to accede to a modification of them, to make them more palatable to the feelings of those best acquainted with the colonies. He was firmly of opinion, that, if they were carried into effect, as they at present existed, they would be destructive to the maritime interests of the country.

Mr. *Warburton* thought the Corporation of London had done themselves credit by presenting the petition then before the House, for he was fully convinced that the present system of slavery in the colonies was attended with so much danger, that, if modifications were not speedily admitted into it, with a view to better the condition of the negroes, that the colonies would be lost to this country, and because he wished to preserve them, he approved of the Orders in Council which had that object in view.

Petition to be printed.

COMMUNICATION WITH IRELAND.] Mr. *Ewart* presented a Petition from the Bankers, Merchants, and Inhabitants of the town of Liverpool, against the removal of the Government steam-packets employed in the Post-office department between that port and Dublin. He wished to inform the House that great inconvenience would arise from any interruption in the present mode of communication between the two places, and he thought that would be evident when the extent of the trade between them was considered. In the last year there was imported into Liverpool from Ireland 9,000 head of cattle, 130,000 sheep, and 150,000 pigs; such a trade could not be disturbed without causing much embarrassment.

Colonel *Conolly* hoped there was no idea on the part of Government, of disturbing an established mode of communication with Ireland, such as that from Liverpool, which had increased so rapidly, and was attended with such beneficial effects. He was sure that both countries would sustain injury from such an attempt.

Mr. *Spring Rice* begged to assure the House there was no intention on the part of Government to remove the Post-office station from Liverpool. He imagined the petition had originated in a supposition by the inhabitants of that place, that, because a Committee had been appointed to inquire into the present state of communication between this country and Ireland, the Government station at Liverpool was to be abolished; whereas the object of that Committee was to inquire how far the communication between the two countries could be accelerated and facilitated.

Lord *William Lennox* said, he could confirm this opinion as expressed by the right hon. Gentleman. The object of the Committee now sitting, of which he was a Member, was, to facilitate the communication with Ireland, and it would be an extraordinary way of accomplishing that by taking away the Liverpool packets. On the contrary, one entire day had been occupied by the Committee trying, if possible, to accelerate the Liverpool mail, to get it down before the sailing of the packet.

Petition to be printed.

THE GAOLER OF LANCASTER CASTLE.] Mr. *Hunt* presented a Petition from certain Debtors confined in the Castle of Lancaster, complaining of the conduct of the Gaoler and of the visiting Magistrates. The petitioners complained, in the first place, that the gaoler, who was a gentleman at large, did not reside within the gaol, as required by the Act of Parliament, but lived at a distance of between two and three miles from the prison, and that his son, a cotton-manufacturer of the town of Lancaster, was the deputy-gaoler, and resided within the prison. They further complained that the deputy-gaoler, having one of his debtors in his custody, at his own suit, who was about to seek his discharge under the Insolvent Act, sought to obtain from him an assignment of property to the full amount of his demand, and to the prejudice of other creditors, under the threat that, if not, he should oppose his discharge. The debtor refused to comply with this most improper demand, and on coming up before the Commissioners, stated the circumstance on which the learned Commissioner reprimanded the deputy-gaoler, and discharged the insolvent. The petitioners further stated, that on complaining on a former occasion of the conduct of the deputy-gaoler, they obtained no redress, but were treated in a most barbarous manner, were dragged from their rooms, and placed in solitary cells, with only a blanket to cover them, and fed on bread and water. From these grievances the petitioners sought redress from the House. The petition had been placed in his hands by a most respectable solicitor, who had himself inquired into the allegations, and was prepared to prove on any occasion that they were true.

Mr. *Greene* thought the House could not entertain the petition just presented, because he conceived that it should first be shown that the visiting Magistrates had neglected their duty, and that application had been made to the Home Secretary, who had also neglected his duty, before the House could interfere. But so far was this from being the case, that he had himself, on the representation of the hon. member for the borough of Southwark, to whom the petition had been first sent for presentation to that House, called the attention of the visiting Magistrates to the allegations contained in it, by whom the complaints against the deputy-gaoler, had been fully investigated. The visiting Magistrates had passed resolutions entirely exculpating the Governor of the Castle, and his son from the charges of oppression which had been brought against them by the petitioners; and this was deemed so satisfactory by the hon. member for Southwark, that he declined presenting the petition. In the case of the insolvent debtor to whom allusion had been made, there did not appear the slightest grounds for complaint. He had never made any himself, and the petitioners had no interest whatever in the matter. With regard to the main object of complaint that the governor was not resident in the Castle, that point had also been investigated by the Magistrates, and he had been directed not to absent himself in future. He must also remark, that the deputy-gaoler did not come within the provisions of the statute, disqualifying a gaoler from carrying on any trade or business as stated in the petition. The Act made no mention of a deputy gaoler. This, perhaps, was a point of law, on which the House could not give an opinion, much less could it be called on to explain Acts of Parliament,

Mr. *Hunt* moved "that the petition be printed."

Mr. *Greene* opposed the Motion, on the ground that the petition contained statements and allegations of the truth of which the House could know nothing.

Mr. *Warburton* said, the petition ought to be printed, as the hon. Gentleman himself admitted that one of the charges against the gaoler—that of formerly sleeping out of the gaol had been proved.

Mr. *Hunt* called on the hon. Member to disprove any one of the allegations of the petition. He could affirm that the gaoler of Lancaster had resided out of the gaol for ten years, whatever he might do just now. He hoped that the House would allow the petition to be printed.

Mr. *George Lamb* said, it was clear that the principal complaint in the petition, that which related to the non-residence of the governor, had been removed, but still he thought it not worth while to resist the printing of the petition. The reports made by the visiting Magistrates relating to the conduct of the deputy-gaoler, it might be as well to have transmitted to the office of the Secretary of State. At the same time he begged to bear his testimony to the general good conduct of the Lancaster Magistrates.

Mr. *Greene* said, after the statement made by the right hon. Gentleman he would not resist the petition being printed.

Petition to be printed.

COMMITTEE OF SUPPLY—DUTIES ON GLASS.] Lord Althorp moved the Order of the Day for the House resolving itself into a Committee of Supply.

Mr. *Dixon* begged to know if the noble Lord intended to reduce the duty on glass? It was some time since the noble Lord had, in answer to a question of the same description, stated, he did not mean to reduce the duties immediately; but many persons who, from their large stock on hand, would be much injured by any sudden reduction, were anxious to know the noble Lord's intention, and they hoped that under any circumstances notice for at least a year would be given to the manufacturers.

Lord *Althorp* said, he had not the least intention to meddle with the duty on glass. He believed it would be a great advantage to get rid of that duty, but unfortunately, the revenue could not bear the loss of the sum it produced.

The House went into a Committee.

SUPPLY—ARMY ESTIMATES.] Sir *John Hobhouse* begged to be permitted to state, before he moved the remaining items of the Army Estimates, that he had made inquiries into the subject of the commutation of Army Pensions, to which the right hon. Baronet (Sir Henry Hardinge) had alluded some few nights since. He was even now prepared to enter into some statements on the subject, but he believed it would be better, for the interest of the parties concerned that a specific day should be appointed to take into consideration the whole of the allegations made, and what he had to urge in reply. Nothing could more interest him than the task which officially devolved upon him, in a great degree, of looking to the comfortable provision in old age of our veteran soldiers; and he could assure that right hon. Baronet, that, whilst he continued at the head of the Department of the War Office, it should be his study to prevent the old soldiers in our service from being prejudiced in their enjoyment of the bounty of a grateful nation by any improper application of the principle of economy to their income or allowances.

Sir *Henry Hardinge* was much gratified by hearing what had fallen from the right hon. Baronet. He concurred in his proposal to set apart a special occasion for the general consideration of the subject; and he could assure the right hon. Baronet that he should have all the assistance he could possibly afford him in his laudable endeavours to protect the interest of the veteran, and provide for the prudent application of the funds voted by Parliament for the maintenance for soldiers to whom a more than ordinary debt of gratitude was due for their services during the most arduous contest in which the nation had ever been engaged.

Sir *John Hobhouse* moved the following votes, which were agreed to, without opposition:—117,274*l.* 19*s.* 10*d.* to defray the charge of Staff Officers at home and abroad, with the exception of India; 103,014*l.* 15*s.* 7*d.* to defray the salaries and allowances to the Officers of Public Departments; 12,000*l.* for charge of medicine and hospitals; 33,670*l.* 16*s.* 2*d.* for Garrisons at home and abroad.

On the vote for 2,638*l.* 11*s.* 1*d.*, on account of the Royal Military College,

Sir *Henry Hardinge* expressed his disapprobation of the economy that had reduced this vote so low. When the House recollected that the Military schools of France cost that country 30,000*l.* a year, and that a large proportion of the young officers of the French army were educated at the public expense, when even the United States educated 400 students at an expense of 30,000*l.* a year in order to maintain the efficiency of its very small army, he did hope hon. Members would think the Government were running the Military College too hard, in proposing to cut off the orphan class of students, consisting of only twenty boys, whose fathers had been either wounded in battle, or had died in the service of their country, thus for ever preventing them from treading in the same honourable steps as their fathers. He might, by entering into details, show, that many distinguished officers had been educated at the Military College, and show that it was a false economy to curtail the usefulness of that establishment, but, at all events, the orphan class ought to be continued, and these youths ought to be educated at the expense of the State.

Lord *Althorp* said, that in the present state of the country, and in a period of peace, he thought there was no reason for the continuance of such an expense, as there was no want of candidates properly educated for commissions. At the Military College education was afforded to the boys at a cheaper rate than they could get it elsewhere; but, as the parents were willing to incur the larger expense he saw no reason for the complaints of the hon. and gallant General against these endeavours to relieve the country from an expense which individuals voluntarily put themselves forward to bear.

Sir *John Hobhouse* said, that plans had been laid before the War Office by practical military men, showing how the public might at once get rid of the whole of this expense, by throwing it upon the army at large; but, as it was not thought altogether fair towards the army, it was not adopted. But still, by making the young gentlemen pay for their own clothing, amounting to 5*l.* 10*s.* each annually, and by increasing the contribution, and making some other alterations, they had reduced the charge from 5,600*l.*, which it was last year, to 2,638*l.*, notwithstanding some increase in the salaries of the professors. The right hon. and gallant Officer, however, objected to the prospective intention of getting rid of the whole of the public charge. He was aware that this involved a delicate question—no less than that of precluding from commands in the army those who had no original means of support; and thus making the service too aristocratical. That, he knew, was the objection; but, after what he had heard from all quarters, he was inclined to think that holding out this kind of bonus to the introduction of persons into the army, who had not other means of support than what they derived from their commissions, was advantageous neither to the service nor to the public.

Sir *Henry Hardinge* thought the right hon. Baronet had touched upon delicate and dangerous ground, in expressing his opinion that the army ought to be entirely officered by individuals who had some support beyond their pay. If such a principle was carried into full operation, the army would become as aristocratical as the French army before the Revolution, when it was officered exclusively by the *noblesse*. If such a practice had hitherto prevailed in this country, many gallant and able officers, who had no other purses but their pay, would have been excluded from the service, to the great loss of the public. He considered the principle laid down by the right hon. Baronet as a most extraordinary one, particularly coming from him. It was repugnant to the system upon which the army ought to be conducted in a free country, where it could not be upheld as a profession unless it were open to the enterprise of every person. It was incumbent on the Government to raise the pay of officers, to enable them to live with their regiments, rather than permit any exclusive principle to be acted on similar to that adverted to by the right hon. Baronet. Many officers might be the sons of clergymen, and other respectable gentlemen, whose incomes, however, might not admit of making their sons an annual allowance. With regard to the plan alluded to, of making the army pay the expenses of the Military College, and which, the hon. Baronet said, was proposed by military officers, he believed it to be this—that an officer, on coming into the army, instead of merely paying the Regulation price for his Commission, should pay a larger sum on his first commission, by way of a contribution to the Military College, so that he who had, perhaps, never been at the College, was to be made to pay for the education of those who were educating there. No doubt such a tax might be imposed upon an officer, but he might just as well be charged with a contribution towards the expense of gravelling St. James's Parade, or effecting any other purpose with which he and his first commission had nothing whatever to do. The noble Lord, the Chancellor of the Exchequer, who generally met every question fairly had not treated this subject in his usual open and manly manner. He had urged, as an argument against the Military College, that there were plenty of candidates for commissions in time of peace, and, therefore, there was no necessity to hold out a premium to persons to come into the army, by a gratuitous education at the College, and, a commission for nothing; but he had evaded the real question, which was whether the candidates for the army had received a military education, qualifying them for the situations they were to fill. He had never advocated the principle that all, or even the larger proportion, of the officers should, as a matter of necessity, be educated at the Military College; for, no doubt, any one with the education of an English gentleman, brought up at a public school, with a sound classical education, well disiplined in his regiment afterwards—and more particularly if, at a later period, he took advantage of the senior department of the Military College—would make a very good officer. This, however, was no argument against the College; for an education there gave many professional advantages of great value on service; and many of the most distinguished officers in the Peninsula war had been educated at the College. The argument was, that the College was professionally useful; and if there were good reasons for keeping it up generally, not for any particular class, but for the benefit of the service, how much more strongly did the claims of the orphan class to the generosity of the nation become? Suppose an officer killed in action, who had been distinguished, though poor—for officers were generally younger sons with small fortunes—and his relations were unable to provide for his children; was it not fair that they should be assisted in their education at the public expense? With respect to increasing the contributions of the cadets, it was very well to talk of it across the Table, but he really thought the 125*l.*

a-year now paid by the parents sufficient to pay for the education of a boy going into the army. To reduce the expenses of the Military College, which at present only cost the public 5,600*l.* a-year for an army of 90,000 men; in the manner contemplated by Government, to the injury of twenty poor orphans, the sons of officers, was a most shabby sort of economy.

Captain *Boldero:* It was a great point to properly educate the sons of officers who had fallen in the service of their country, for they inherited their fathers name, character, and connexions, but, being without means to procure a proper education, they could not avail themselves of these advantages without the public assistance to bring them forward.

Sir *John Bourke:* thought it right that officers should have the satisfaction of knowing, that, if they fell in the service of their country, their children would be educated by the state. With respect to the non-admission of officers unless they had private fortunes, such a regulation would much impair the efficiency of the army as it would totally destroy that emulation which was created in the lower ranks in the hopes of obtaining a commission.

Mr. *Warburton:* thought this a proper opportunity to recommend the principle advocated by the hon. member for Middlesex, and consolidate all the military schools of Addiscombe, Woolwich and Blackwater, into one, by which the expenses of three separate establishments would be much reduced.

Resolution agreed to.

22,885*l.* 16*s.* 8*d.* for the Royal Military Asylum and the Hibernian Military School.

99,608*l.* 12*s.* 4*d.* for the Volunteer Corps of Great Britain and Ireland.

17,500*l.* for Exchequer fees on issues to be made for the army services in Great Britain and Ireland.

125,000*l.* for the pay of General Officers in his Majesty's forces, not being Colonels of regiments: and

90,000*l.* for the full pay of reduced and retired officers of his Majesty's forces, were voted.

On the question, that 666,500*l.* be granted for the half-pay and military allowances to reduced and retired officers of his Majesty's land forces being read from the chair,

Sir *Henry Hardinge* said, he took credit to himself for having introduced the system of commuting the half-pay of officers of the army. Upwards of 500 officers had accepted commutations, which had caused a saving to the public of upwards of 30,000*l.* a-year, besides weeding the army of a number of individuals who either never intended to make it a profession, or had given up their intentions, if they had ever entertained any such. His plan had been, to make officers either go upon service, or sell out, but the right hon. Baronet, the Secretary at War, was reported to have said, on a former evening, that, if the system had been pursued with greater vigour, a still larger saving might have been made. He begged to observe, however, that there was a line to be drawn in this case, and that which was practicable on one side of that line might be very cruel and extremely inexpedient on the other. An officer might have served but a short time, yet, if that service had been in a tropical climate, his constitution might have sustained so much injury as to unfit him for farther actual service; and, therefore, a rule founded on mere length of service ought not to be adopted. In applying the system of commutations, each case ought to be decided upon its own merits. There was another point connected with the system of commutation, which he begged to notice. It ought rarely to be granted in lieu of pensions for life, or for the loss of limbs, but if it ever was allowed, the full value of the pension ought to be given in such cases. There was this difference between pensions, and half-pay—the former could, under no circumstances, be taken away, although the latter might; it was not only an allowance for former services, but a retainer for future ones. The right hon. Baronet, no doubt recollected the account given by Sterne in his "Sentimental Journey," of the officer decorated with the cap of St. Louis selling *petits patés.* He (Sir H. Hardinge) much feared that if officers were permitted to commit the improvident act of commuting their pensions for wounds, similar objects would be met with in this country, and the public would have the misery of seeing men mutilated in the public service, deprived of the national bounty by the act of those men themselves, from which their guardian, the Secretary at War, ought to have restrained them. The only mode to be adopted to prevent such things was, entirely to prohibit all bargains between a wounded officer and the public.

Sir *John Hobhouse* explained, that what he had said on a former evening was, that a considerable saving might be made to the public by pursuing such a system of commutation with due, but not improper vigour. He was by no means for pushing it further, and least of all did he think of extending it to what might be considered a system of forced commutation. The right hon. Baronet might be assured that he would pay proper attention to his remarks with regard to wounded officers.

Mr. *Hume* said, there was another consideration of some importance connected with this subject, and that was the disposal of first commissions. By the present practice, the Commander-in-Chief had the power, by giving away commissions, to bestow as many pensions for life as he might consider proper. Every first commission in his opinion ought to be purchased, which would cause a great saving to the country; at present with such an enormous dead weight, all vacancies ought to be filled up from the Half-pay List.

Sir *John Hobhouse* said, that very few first commissions were given away; but it was absolutely necessary, in some cases, to confer them upon individuals without purchase. It would be impossible to take all the officers from the half-pay list, at least so as to render the service effective; for it was not to be imagined that men of eight-and-thirty or forty years of age would return to the army as ensigns. Nor, indeed, would such persons be able well to discharge their duties, encumbered as most of them would be with families, and estranged in habits from military service. It was positively necessary to have a regular succession of young men enter the service.

Mr. *Hume* said, what he proposed was, that the young man should buy out the old life, and he would answer for it that many would be found ready to do so. If, however, the old half-pay officer declined the acceptance of a junior commission, there would be nothing unjust in requiring him to make way for one that would.

Sir *Henry Hardinge* said, this was the precise plan he had practised as Secretary-at War. Such officers as had not performed a sufficient term of service to justify their receiving permanent half-pay, were required to join a regiment, or else receive a sum of money to leave the army. If, however, this plan was to be adopted to its full extent, the effect would be, that the cadets of the Military College must be deprived of the promotion, which they now received, to the amount of fourteen or fifteen a-year. It was necessary, therefore, to use some discrimination in carrying it into practice. Another objection, if they sold every commission would be, that they would thereby shut the door against those persons who had a just claim, but who were not able to purchase; as, for instance, where the father had claims for services, what better mode could there be of meeting those claims than by giving his son a commission? He was quite sure that the right hon. Baronet would find every readiness to meet him on the part of the Commander-in-Chief; for, in saying that, he only spoke from his own experience. He begged, also, to say, that he quite agreed with the right hon. Baronet, that it would be impossible to place men of thirty-five or forty years of age, among young gentlemen, who generally fill the first commissions. The hon. Gentleman would find, that by the warrant of 1830, an officer was only entitled to temporary half-pay, unless he had served on full-pay for three years; the object of which was, that he might receive the price of his commission, which was to be paid by the sale of a first commission.

Vote agreed to, as was the following votes.

88,900*l.* for the charge of half-pay and reduced allowances to officers of disbanded foreign corps, of pensions to wounded foreign officers, and of allowances to the widows and children of deceased foreign officers, from 1st April, 1832, to 31st March, 1833.

26,334*l.* 15*s.* for the charge for reduced Local Militia adjutants, retired officers of the Militia, and reduced adjutants and serjeant majors of Yeomanry, from 1st April, 1832, to 31st March, 1833.

50,750*l.* 16*s.* 10*d.* for the charge of allowances, compensations, and emoluments, in the nature of superannuation or retired allowances to persons formerly belonging to the several Public Departments in the United Kingdom of Great Britain and Ireland, from the 1st April, 1832, to the 31st March, 1833; and 14,500*l.* for the charge of Exchequer fees in Great Britain upon issues to be made for non-effective army services, from 1st of April, 1832, to 31st of March, 1833, were also voted.

The House resumed.

On the Resolution for granting 147,423*l.* for the charge of Pensions to be paid to widows of officers of the land forces, from 1st April, 1832, to 31st March, 1833.

Sir *Adolphus Dalrymple* inquired what was the amount of other means which disqualified widows from receiving pensions. He wished to know whether officers' widows were compelled to swear to the amount of their property, and also whether the right hon. Gentleman had taken into consideration the case of the general officers' widow, who had been refused a pension because she had 400*l.* a-year?

Sir *John Hobhouse* said, these were matters which must be regulated by circumstances. Whoever had any control over the public purse was bound to maintain a just economy. There were various considerations, however, arising out of their positions in society, and other circumstances, which must influence the amount of the pensions granted to widows. With respect to the particular case adverted to by the hon. Member, the more he inquired into it the more he was satisfied of the propriety of the decision.

Sir *Henry Hardinge* confirmed what had been stated by the right hon. Secretary-at-War. The amount of other means possessed by a widow ought not to be the sole criterion of her right to a pension. It would be very hard that a widow should be visited with punishment because her husband had been a careful man, and had saved a little money for the education of his children. Such a regulation would be an encouragement to profligate expenditure.

Resolution agreed to.

On the Resolution for granting 175,041*l.* for the charge of allowances on the Compassionate List, of allowances as of his Majesty's royal bounty, and of pensions, gratuities, and allowances to officers for wounds, from 1st April, 1832, to 31st March, 1833, being proposed,

Sir *Adolphus Dalrymple* said, when this subject was last before the House, he had mentioned the case of an officer which had appeared in *The Times* newspaper, and he hoped this had since been looked into.

Sir *John Hobhouse* presumed the case was that of Captain St. George Lyster, and he begged to say, he had fully informed himself of it, and that he agreed with the decision of his predecessor on the subject.

Sir *Henry Hardinge* said, he had never thought it necessary to vindicate himself from the charge made by the officer whose name had been mentioned, for he had no doubt it was founded on correct principles. He was, however, glad that the right hon. Baronet had taken the same view of the subject as he had done.

Mr. *Hume* thought, all pensions should be granted only on account of services performed, and not for the number of children left; if such a practice prevailed, it would operate like the present system of Poor-laws as a bounty to beget children.

Sir *Henry Hardinge* said, pensions were always granted according to a regular scale, without any reference to the number of children. It was only in case of the Compassionate Fund that such circumstances were considered, and the amount granted on that account was never below that recommended by the Finance Committee.

Resolution agreed to.

On the vote for 1,350,503*l.* 6*s.* 8*d.* to defray the charges of Chelsea and Kilmainham Hospitals, of the in-pensioners of these establishments; and of the out-pensioners of Chelsea Hospital, from the 1st of April, 1832, to the 31st of March, 1833,

Sir *Henry Hardinge* said, that he observed that 30,000*l.* was taken in aid of this vote, out of the unclaimed prize-money of the army. He thought it was worth the consideration of the noble Lord, the Paymaster of the Forces, and the right hon. Baronet, the Secretary-at-War, whether the sums arising from this source might not be more judiciously employed, by enabling the public to permanently endow some of those humane Societies which had reference to the service; for surely none could have a better claim than the soldiers who fought for it, such as the Military Asylum, and the Hibernian Military Asylum. He believed that 200,000*l.* or 300,000*l.* had already beeen subtracted from the unclaimed prize-money; and it was evident that if this sum had been invested for the benefit of these Asylums, they would by this time have ceased to be any expense to the country.

Lord *John Russell* believed the practice had been, for many years, to pay a part of the expense of Chelsea Hospital out of this money, without any application to Parliament being made on the subject. When this vote, however, was considered at the Board over which he presided, he had given it as his opinion that this money should be taken as deducted from the vote; so that Parliament might have a clear view of what was doing on the subject. That this was not formerly the case would be seen, when he stated that 50,000*l.* from this fund had been applied to the buildings at Chelsea, without the sanction of Parliament. With respect to endowing the Asylums as proposed by the gallant Officer, his predecessor, the late Mr. Calcraft, was of opinion, that as those Asylums had been objected to in Parliament, it would not be fit to abstract them from the view of this House, by making them separately endowed establishments. His opinion coincided with that of Mr. Calcraft; and he thought unclaimed prize-money might be better employed by making it applicable to the commutation of soldiers' pensions, which was a new charge, and had amounted to much more than was at first contemplated—the expense this year being 70,000*l.*

Mr. *Hume* said, he had long ago objected to this mode of making deductions in accounts, and here was one of the consequences of it; for 50,000*l.* had been spent for buildings at Chelsea, without any Member of that House knowing anything at all about it.

Sir *Henry Hardinge* could not allow the noble Lord to infer that this was the first time this money had been brought before Parliament. If he would call for a paper of his, in the War Office, he would find in it some observations on this very point; and he would perceive that arrangements were made by him and Mr. Calcraft, to bring the matter before the House; and although that was not done, it was no fault of the late Government. Perhaps, however, the noble Lord only meant to impute blame to his colleague, the present Foreign Secretary, who preceded him (Sir Henry Hardinge) as Secretary-at-War; if so, he, of course, could not presume to defend Lord Palmerston; though he had no doubt that if the noble Paymaster would fix a time for the discussion, that noble Lord would be ready to vindicate himself.

Lord *John Russell* did not mean to say, that this account was never known till the present Administration came into office; but he meant to say, that Mr. Calcraft told him that what he had stated had been the practice; and that he thought that a statement on this head ought to be made in the estimates. He did not mean to enter into any discussion as to the former conduct of his noble friend when in the War Office; but, perhaps, twelve or twenty years ago these things were more loosely carried on than now.

Sir *John Hobhouse* said, it was impossible there could be any deception about the present vote; for it was distinctly stated that 30,000*l.* was taken from the unclaimed prize-money. The offer of that sum was made by the Chelsea Board; and he did not think that even his hon. friend, the member for Middlesex, would have had them refuse it, especially as they had to meet an expense of 70,000*l.* for commutation-money. He admitted, however, that it was a very reasonable question, whether it would not be better to place this money so as to be receiving interest for it, instead of sinking it altogether by making it applicable to the estimates of the year.

Sir *Henry Hardinge* said, all he aimed at was, to relieve the late Administration from the insinuation attempted to be thrown out that this money was first brought forward for the public service by the present one; and as he had attained his object, he would only add, that he believed that this prize-money now appearing on the estimates was chiefly owing to the paper he had drawn up, and which had been already alluded to.

Resolution agreed to.

HOUSE OF LORDS,
Thursday, April 5, 1832.

MINUTES.] Bills. Read a third time and passed, The Colonial Audit; Read a second time, The Mutiny.

Returns ordered. On the Motion of Viscount STRANGFORD, an Account of the Amount of all Duties returned on Woollens exported to Foreign Countries, in consequence of Treaties with such Countries, stating also by what Authority such Returns were made, from 1825 to the latest period; and also, an Account of the Amount of all South Sea Duties which have been returned on Imported Goods, stating by what Authority such Returns have been made, up to the latest period.

Petitions presented. By Lord KING, from certain Persons designating themselves as the National Political Union, in favour of the Reform Bill; and from the Inhabitants of Tyholland (Ireland) for the Abolition of Tithes:—By Lord GODERICH, from the Lord Mayor, Aldermen, and Common Council of London, against Colonial Slavery:—By the Earl of Winchilsea, from Freemen of Oakhampton, praying that their Rights and Privileges should be reserved under any System of Reform that might be adopted:—By the Earl of RODEN, from the Presbyterians of Randlestown and Inhabitants of Templemartin, against the New System of Education in Ireland. By the Bishop of EXETER, to the same effect, from Newton Abbott, in Devonshire:—By the Bishop of BATH and WELLS, from Inhabitants of Marylabonne, for the Abolition of Slavery:—By Lord SUFFIELD, from Inhabitants of London and Westminster, in favour of the Bill now depending relative to the Treatment of Cattle:—By the Earl of BROWNLOW, from the High Sheriff, Justices of the Peace, and Grand Juries of the County of Lincoln, for a Revision of the Law relating to the Duties of Sheriffs, Justices, and Clerks of the Peace, at the Head of his Majesty's Government.

HOUSE OF LORDS,
Friday, April 6, 1832.

MINUTES.] Petitions presented. By the Duke of WELLINGTON, from the Inhabitants of Measham; and by the Marquis of BRISTOL, from the Minister and Parishioners of Rushmere, the Inhabitants of Ipswich and Tattingstone, against the proposed System of Education for Ireland:—By the Earl of ABERDEEN, from the Landholders, Commissioners of Supply, and Justices of Peace of the Counties of Aberdeen and Kincardine, against the Malt Drawback Bill:—By the Bishop of CHESTER, from the Minister and Inhabitants of Cheadle, for a Repeal of so much of the Beer Act as permits Beer to be drank on the Premises where sold:—By Lord DELAMERE, from the Gentry, Clergy, and Freeholders of the County of Chester, against the Reform Bill; and by the Marquis of LONDONDERRY, from an Individual, to the same effect.

MAGISTRATES OF WESTMEATH.] The Marquis of *Westmeath* rose to move for a copy of an address from the Magistrates of the county of Westmeath to the Lord Lieutenant of Ireland, with the answer of his Excellency thereto. The noble Marquis said, before he applied himself to the subject of his motion, he wished to notice an observation that had been made on a preceding evening by a noble Earl on the Ministerial benches, who intimated that he was actuated by a spirit of hostility to the noble Marquis at the head of the Irish Government. To that he could only say that, he was much surprised at hearing such a charge. He could perceive nothing in his public conduct to justify the observation, and he could not understand why it was, the noble Earl said so. He had no feeling of hostility whatever towards the noble Marquis, or to any Members of his Majesty's Government, and he felt considerable pain in being placed by imperious circumstances in opposition to those friends by whom he had been assisted towards the seat which he had the honour to hold. He submitted, however, that he was bound to act as his duty and conscience required him, and he appealed to every one if a crisis might not arrive in public affairs which entitled a man to think and act for himself? He did not throw blame on others, but he claimed for himself the same liberty which he was disposed to grant to every individual. He hoped, therefore, he should hear no more of his supposed hostility to the noble Marquis at the head of the Irish Government, and he would proceed at once to the subject of his Motion, claiming the indulgence of the House while he performed a duty which, though unpleasant, he would not shrink from. It would, perhaps, be recollected by many of their Lordships, because a petition had been presented on the subject, that the county of Westmeath was a short time since in a state of the greatest disorder. In consequence of those excesses the Magistrates held a meeting to consider what measures should be adopted; and as it was previous to the Assizes, every Magistrate who intended to take out the commission of the peace was present. At that meeting it was agreed upon to address the Lord Lieutenant. Now, he did not think that he or the Magistrates were acting in opposition to his Majesty's Ministers, by bringing before the Parliament and the executive Government the unfortunate state of the county, which they could not know so well as the Magistrates of the county did. He considered that the time had arrived, in consequence of the declaration made by the noble Earl at the head of his Majesty's Government, with respect to the disturbed state of Ireland, when the noble Earl might consider it necessary to apply to Parliament for further powers for enforcing the execution of the law in that country; and he did consider that, in proceeding upon the declaration so made by him, he was acting in conformity to the declared policy of his Majesty's Ministers by bringing the subject forward, in order that they might, under the authority of Parliament, be enabled to apply a remedy. For the furtherance of this object; he considered the best course to pursue was, in the first place, to describe the quality and the quantity of crime then or recently committed in the county, and to lay it before Parliament and the Government, rather than to recommend to the Magistrates any particular course to pursue upon their own discretion and responsibility. In referring to the documents on which he founded his Motion, he begged to allude to the following words, which were to be found in the petition and in the address, both of which state "that the descriptions of crimes committed under the systematic resistance to the law complained of, are characterized by a spirit of ferocity unexampled; that the dominion of the law is subverted; and the peace and security of society are not only endangered, but actually overturned." It might be in the recollection of their Lordships, that these very words formed a part also of the leading expressions of the Tithe Report, which was brought up by a Minister of the Crown, and he presumed, therefore, that they were not introduced without the approbation of his Majesty's Government; and, therefore, he said, that when the Magistrates of Westmeath were prepared to support this allegation by proof, they might have expected and did expect that some decided measures would have been taken by his Majesty's Government for the purpose of applying remedies, when the state of the country was admitted to be that in which the law was subverted, and the peace and security of society not only endangered, but actually overturned. As he should have occasion hereafter to refer to the answer which the Magistrates of West meath received from the Lord Lieutenant of Ireland, it was only necessary he should observe at present, that it was anything but of an encouraging nature; and, though indirectly perhaps, it imputed to them that they had not executed their duty in a proper and efficient manner. It was considered that, in making the statement to the Lord Lieutenant, it could only be supported by facts, the truth was, therefore, stated. Other matters might have been put forward of considerable weight, but the Magistrates contented themselves with a detail of such circumstances as appeared most important, as they more particularly bore upon the allegation contained in the petition and address—namely, that the peace and security of society were not only endangered, but actually overturned. He did not mean to fatigue their Lordships by entering into details, but he must notice one or two facts which were not mentioned in the address, nor had they been publicly noticed. But, first, he must observe, that the address and petitions stated that, between December and the end of January, the increase of crime had been from sixty-two to one hundred and fifteen outrages: thirty-three against the person, forty-eight against property, and the rest of no ordinary kind. In February there were twelve assaults on the person, connected with Ribbonism; twenty-five offences against property, chiefly attacks on houses to obtain arms; and twenty-eight illegal notices or threats against tithes. The fact by which he proved that the laws were subverted was this. A man who, by accident, went into a public-house within two miles of the county-town, for refreshment, happened merely to state his opinion that the present proceedings of the parties disturbing the country were ruining it, and he had not left the house twenty minutes when he was murdered. The murderers were known; but as no testimony could be procured against them, the two persons who were in custody were discharged. The next fact to which he would allude occurred about three weeks ago: a gentleman informed him that a clandestine manufacture of gunpowder was going on in the neighbourhood of the county of Westmeath; he, of course, gave the necessary information to the Government on the subject, having no doubt whatever of the respectability of the party who made the communication to him; but he could not prevail upon him to produce the party who could substantiate the statement, because, if he had done so, his life would have been sacrificed for venturing to give information on the subject. Such, were the nature of the facts on which the address of the Westmeath Magistrates was founded, and which rendered it unsafe for any person who was determined to see the laws duly administered, to live longer in the country. There was one other fact which he was desirous of mentioning, in which he was himself personally concerned, and which in some degree involved a violation of the privileges of their Lordships' House. He possessed the impropriate tithe of several parishes, and the person who acted as his agent for some months had his house attacked, the insurgents took away what money he had by him, and burnt his books in which the tithe account was kept. When he returned to Ireland, he heard that a notice had been stuck up throughout the parishes, forbidding any payment of tithe to him, until the Reform Bill should have passed. He endeavoured to get a copy of this notice, but unfortunately he could not succeed in doing so, as the Magistrate who had taken it down had torn it, but he communicated the substance of it to him; he then sent to the tithe-payers, in order to ascertain the state of the account between them; but he regretted to state that it was reported to him by his agent, that not a single individual would produce his last receipt, so that it was impossible he could ascertain how his affairs with them really stood. This was a striking example of what the state of society really was at this moment, when the privileges of their Lordships' House were set at nought, and a Peer of Parliament had his property held in pledge by a threat for his vote on a popular question. He thought these facts were tolerably illustrative of the present state of society in Ireland, and, therefore, he would say no more on this part of the subject. He would now refer, as far as the rules of order would allow him, to what occurred in another place, when the petition to which he had alluded, which was signed by no less than fifty-one Magistrates of the county of Westmeath was presented, as he thought he had just reason to complain of the misrepresentation which took place on that occasion. One hon. Gentleman was reported to have said, that he had forty freeholds in forty different counties, and that, therefore, he had the means of knowing that the county of Westmeath was perfectly quiet; but some one reminded him that there were only thirty-six counties in Ireland, so the argument seemed to lose its force. However, the hon. Member was reported to have further stated, that he (the Marquis of Westmeath) was unpopular, for Mr. O'Connell's sake, and that, therefore, the meeting of all the Magistrates of the county was a hole-and-corner meeting. Another hon. Gentleman said—connected as he was with the county—(how he was so connected with it, except indeed, that he married a lady who resided there previously to her marriage, he did not know)—that he was able to state, that the county was in a perfect state of tranquillity. Another Gentleman of somewhat better pretensions to have an opinion, if he had confined himself to the county he was connected with, took occasion to observe, that a gentleman of the county of Westmeath had quartered a dead cow, and given it to his labourers to eat; that he had rode from one end of the county to another, and only one man had been murdered while he was there, and that, therefore, the county was perfectly quiet—and this was the argument. The hon. Gentleman, however, added, that the gentleman who had so quartered the dead cow was a friend of his, and he should, therefore, not name him. A fourth hon. Gentleman, with the best possible pretensions from stations and property to have an opinion, however, took upon himself to arraign the statements of the entire Magistracy of the county; denied the disturbances; stated that tithes were paid, and that he wished that the police should be removed. The sentiments of the former speakers might afford grounds for mirth, but it was a frightful indication of the state of the times, to see a young Gentleman with a large stake in the country uniting in sentiment with those whose obvious purpose it was to subvert the institutions of the country. As to the trash which was put forth by designing or ill-informed persons, it was scarcely worth his while to notice it; but to find persons who might be better informed, giving countenance to the misrepresentation of such a class of creatures, did, indeed, give him great pain and alarm. He would put it to their Lordships, whether it was candid or fair for a Minister of the Crown high in office, and for whom personally, he entertained the greatest respect to turn round and say, with reference to this petition and address, and the facts stated, and the objects of the Magistrates advanced in it, that it was not his wish to govern the people of Ireland by terror? and how it happened, that a Minister of the Crown, with such a history of facts laid before him and the Government as was contained in this petition and address, could bring himself so to view the matter, he could not conceive. The expression was used in another place, of the rights of the people of Ireland; but what was the meaning of those words? Was not the noble and learned Lord opposite, and was not he himself, a part and parcel of the people of Ireland? with this difference only, that the noble and learned Lord lived within the reach of a garrison town, and that he, and others lived in the open country. He confessed he did not like the use of such expressions as these, which he hoped were not used *ad captandum*. What, therefore, he would ask, was likely to be the effect produced on the public mind by the rebuke conveyed in the Lord Lieutenant's answer to the address of the Magistrates? He would take the liberty of showing to their Lordships one proof of the consequence of it, which he found in the report of a speech contained in one of the radical journals of the day, where it was stated that the Magistrates of Westmeath were thirsting for the letting of the people's blood. What must be the effect produced on the people of Ireland in their present state of excitement, when they were taught to believe that the Magistrates of the country were seeking their blood? Was such language to be tolerated? At present no notice had been taken of it; perhaps, however, there might be some account taken of it hereafter, but, in the mean time, the sentiment had gone forth to the people, and he knew the handle that would be made of it; and he said, that if the answer of the Lord Lieutenant had produced these attacks upon the Magistracy, those who advised it were answerable for the consequences. When the Magistrates were accused of apathy and indifference, he would ask those who made such a charge, as well as their Lordships to refer to a speech which was lately made by Mr. O'Connell at Clonmel, and he then would beg to know which were the parties to be charged with indifference to the public good—those who exercised the executive Government of Ireland, or the Magistrates of Westmeath? He was aware that it was not altogether regular to read from a newspaper; but really he must claim the indulgence of their Lordships for a few moments, while he drew their attention to this speech. Mr. O'Connell was reported to have said, on the occasion of a public dinner being given to him at Clonmel—Clonmel being a place celebrated for excitement and numerous recent criminal convictions, and the consequent expiation of offences on the scaffold:—'Since I 'came back amongst you, I have seen that 'the old spirit of Ireland is still in existence; the genius of her mountains proclaim aloud, and the music of her streams 'respond to the hallowed sound, that Ireland must be once more a nation. Yes, 'she shall not remain a province, or a mere 'part or portion of any other country. 'She is a noun-substantive, and can stand 'by herself. My friend has said to you 'that the history of Ireland is a sad one; 'but, as a nation she has no history. The 'struggles of faction and the foul fiend of 'discord delivered us to a foreign domination because we were disunited amongst 'ourselves. But Ireland shall have a history, for Ireland is not dead, but only 'sleepeth; and already has the trumpet 'sounded for her resuscitation, not unaccompanied by some notes from the humble voice which now addresses you, and 'long and loudly shall you hear the sound, 'that Irishmen shall not be slaves—and 'contented slaves I defy you to be. During 'my journey this day, I saw the matron 'quit her cabin, though almost incapacitated by age, in order to join in the 'shout for the humble but honest servant 'of old Ireland, I saw the mother point 'me out to her babe, and seem to say, 'behold the father of your country. . . . . 'You must go to your graves as freemen, 'for slaves you cannot, you shall not continue to be. We are 8,000,000 of 'people, and 8,000,000 are too many to 'be governed by others. . . . Stanley 'wished to give 40,000*l.* to the Irish parsons—what kind consideration. And, 'next, to make the landlords the tithe-'agents, and his Majesty's Attorney General proctor-general to the parsons. 'This, however, was opposed by twenty-'seven real Representatives of the people—'men who had not gone into Parliament in 'order to live on the public money—'men who were not half Representatives of 'the people—but men every one of whom 'was genuine, and whose return was insured by the struggles of a virtuous 'people against a vicious oligarchy. Those 'twenty-seven stood in the breach, and 'asked for a little delay. . . . . 314 'Whigs and Tories, Radicals and Reformers, 'who, though differing on every point of 'the compass—aye, and who would differ 'upon it, if, instead of thirty-six points, 'there were 36,000—agreed at once, and 'without hesitation, when there was a 'question of oppressing unfortunate Ireland. 314 Saxons, I thank you: I shall 'not call them scoundrels, there were 'many worthy men amongst them: but 'they were Saxons, and refused us but a 'little delay, and by so doing have made 'the repeal of the Union irresistible. . . . 'The days of ascendancy are past by, and 'we may look back to our struggles with 'feelings of pride and pleasure. Having 'given one lesson to England, she shall 'now receive another; aye Gulp it down 'Johnny, you must.' Such were the sentiments and opinions of the man who addressed himself to the greasy mechanics of Birmingham, and who came there and told the Members of the Political Union how well calculated Englishmen and Irishmen were to hug each other, as brothers, from morning till night. Having already read so much from this paper, he would not trouble them with any further extracts; suffice it that the speaker went on to abuse this country, and to utter sentiments that he should say, though no lawyer, were seditious, if not treasonable. He thought he might now be permitted to ask upon whom it was, that the charge of apathy and indifference rested; whether upon the Magistrates of Westmeath, or upon his Majesty's Government? He felt that he was trespassing on the patience of the House; possessing, as he did very little parliamentary experience, his only anxiety was to do justice to the cause he was now advocating in the best manner he could. He would now, with the permission of their Lordships, refer to the address which stated — 'We are 'disposed, however, to believe, that a 'large portion of the population are averse 'to uniting with the increased and increasing disaffection, but they find themselves compelled to join in the savage regulation of a description of persons, who, 'although similar in character and reckless to those engaged in similar confederacies in other districts of Ireland, where 'such like exists, surpass, in the excess 'and turpitude of their atrocities, those of 'any species of insurgents which the modern history of Europe offers to our recollection.' And it then stated, that open rebellion would be preferable to the present state of society in Ireland, because that might be dealt with by open force. The Lord Lieutenant's answer was in these words :—'It gives me deep regret to learn 'from your address, that unlawful confederacies prevail to so alarming an extent 'in the county of Westmeath, and that 'the restraints and punishments of the 'law have hitherto failed to oppose any effectual resistance to their power, to control the audacity of the guilty, or to inspire the well-disposed with the confidence so essential to their own security. 'This regret would be infinitely increased 'were I obliged to concur in many of 'the conclusions which your address presents to my attention, and apparently 'calls upon me to adopt. That the freedom enjoyed by the people of Ireland 'under its Government and laws may be, 'and has been abused, is, unfortunately, 'too evident; but to conclude, as you seem 'to do, that those laws or their administration have caused, or tended to cause, 'the evils of which you complain, is a position from which I must express my 'unequivocal dissent. As I do not understand the nature of the preventive 'code of law which you propose to substitute for, or add to, that system under 'which the United Kingdom has so long 'prospered, I cannot observe on that part 'of your address more particularly than to 'say, that the prevention of crime is, or 'ought to be, a prominent feature of our 'criminal code; and, as it is an object to 'which my exertions have been, and will 'be, unceasingly directed, so it is one in 'which I have a right to the aid of every 'loyal subject to the utmost extent of his 'ability. Without referring particularly 'to the county of Westmeath, I must take 'leave to say, that the formation of illegal 'societies in Ireland has been too often 'regarded with apathy and indifference 'by those whose prompt and timely co-operation, if made auxiliary to the exertions of the Government and enforcement 'of the law, would most probably have 'proved adequate to their suppression. 'On the other hand, I am happy to say, 'that recent events have proved that, when 'the influential classes of society, with a 'due regard to their interests, and a proper sense of their duty, have come forward to assist and to second my exertions, 'the authority of the law has been vindicated, and its powers proved to be adequate to the restoration of tranquillity 'and order. Permit me, therefore, now to 'assure you of my firm determination to 'exert all the powers with which I am invested to insure the due administration of 'justice, and to ask of you, collectively 'and individually, and of every friend of 'order and of peace, the firm, decisive, and 'vigorous co-operation which the importance of such an object, the condition of 'your county, and a due sense of public 'duty, concur in making it imperative on 'you to afford me.' Now, construing this in conjunction with the Lord Lieutenant's answer to the resolutions of the Magistrates of the county of Kilkenny, it appeared that the Lord Lieutenant expected the Magistrates of Ireland to act without the support of Government, and to put themselves at the head of their tenantry, whom they were to furnish with arms to patrol the country. He said, that it was the duty of the Government to interfere, when a general confederacy against the laws existed. He was sure he did not overstate the case when he said that, if the Magistrates and gentry of Ireland were to arm their tenantry and retainers, and patrol the country, they would be placing arms in the hands of the Ribbonmen. With respect to the farmers, they knew, as the address stated, that numbers of them disapproved of the atrocious proceedings of the conspirators; but such was the extent to which the system of terrorism was carried, that they dare not interfere. If they were to assist in patroling the country, they would render themselves obnoxious to the ill-doers, and the consequences would be, that their cattle would be houghed, and their houses burnt over their heads. In such a case as this, then, what right had Government to be shilly-shallying? It was a farce to tell the Magistrates to act for themselves under such circumstances. It was aggravating the unfortunate situation of the gentry and well-disposed inhabitants, whose fire-sides were rendered uncomfortable every hour in the twenty-four. This was the reply which he gave to the answer which had been made to the Magistrates of Westmeath. He had hitherto, however, forgotten to mention that the Marquis of Anglesey, in the most honourable manner, disavowed any intention of wounding the feelings of the Magistrates. He hoped he had said nothing to detract from the merit of this disavowal; but, considering the unfortunate effect produced by the Lord Lieutenant's answer, he thought he was justified in having commented upon it as he had done. He knew that the noble Marquis was a man of high and honourable feelings, and incapable of entertaining guile in his own mind, or of suspecting it in others; but in what a situation was he placed? There he was, administering the Government without suspicion, with treason at his back, sedition in his face, with the quintessence of Jesuitism on his right hand, and the elements of political combustion smoking around him in every direction. He was warranted in saying that this was a state of things which must excite the apprehensions of all well-affected subjects. In at least six counties of Ireland the law was superseded; what, if chance were to add three or four more to the number? Could any man of common sense expect that matters could be suffered to remain in such a state? There was an Administration, but where was the Government? It really gave him pain to adopt this tone towards the present Ministers, though he knew not whether he should get credit for speaking sincerely. He, however, lived in Ireland, and had no residence any where else; and, though he had not a tenth part as much to lose as some of their Lordships, he would not be deterred from declaring his opinions as an honest man, and dragging Ministers to the bar of public opinion, for what he conceived to be the neglect of their duty. He gave them credit for the best intentions, but he condemned the policy they were pursuing. Ought not something to be conceded to the Protestant feeling in Ireland? Suppose it wise to break down what was called Protestant ascendancy in Ireland, should there not be some method observed in doing it—ought there not to be some tenderness exhibited towards that portion of the rank and property of Ireland which had, at all events, been distinguished for loyalty and attachment to the laws? Conciliation had been carried to a great extent; but the party conciliated was that of the wrong-doers, but the party oppressed would be so no longer. He had differed from many of his friends in pursuing the course which he had adopted on the present occasion; but he entertained strong opinions on this subject, and he considered it his duty to express them. He was the last man to desire that harsh measures should be adopted towards his fellow-subjects in Ireland; he desired that amelioration should go hand in hand with coercion. The Government of Ireland should proceed with measures of severity in one hand, and the olive-branch in the other. It now only remained for him to thank their Lordships for the patience with which they had listened to him, and to repeat, that, in his opinion, if Government would not adopt measures to put down the system of terror which at present prevailed in Ireland, it was the duty of Parliament to interfere. He would conclude by moving that an humble address be presented to his Majesty, for a copy of the address of the Magistrates and Governor of the county of Westmeath, presented to the Lord Lieutenant of Ireland, and his Excellency's reply thereto.

Lord *Plunkett* said, if the object of the noble Marquis was merely the production of the address of the Magistrates of the county of Westmeath, and the answer of the Lord Lieutenant, he did not see what opposition there could be to the Motion. He would, therefore, not meet it with any thing like objection, though it was not a very regular proceeding; but, as the documents were public, he might have them if he pleased. Indeed, the noble Marquis had very correctly stated the nature of the papers, and, unless he meant to institute some ulterior proceedings, he had placed their contents fully and fairly before the House. So much for the Motion of the noble Marquis, and, perhaps, the House would be of opinion, that he (Lord Plunkett) might let the matter rest where it was, and leave the conduct of the noble Marquis at the head of the Irish Government, and that Government itself, on the statement of the noble Lord. But he would say a few words on the subject; and, in the first place, he begged leave to point out that the answer of the Lord Lieutenant unfolded two principles on which the policy of every country ought to be conducted. Before, however, he entered into an explanation of them, he must say, that it was not his intention to follow the noble Marquis in the wide range he had taken. He came down to hear a statement relative to the address of the Magistrates of Westmeath, and the Lord Lieutenant's answer; but he had been entertained with a long display of the noble Marquis's own powers, and the reading of a florid speech of Mr. O'Connell's, which he hoped the noble Marquis did not call upon him to justify, or the Irish Government to defend. He trusted that the noble Marquis would not hold him responsible for all the tropes and figures in Mr. O'Connell's speeches; and it would be bad, indeed, if the Government of Ireland were to be made accountable for all the flights of imagination to be found in the harangues of those persons who were candidates for popular favour in that country. The noble Marquis was offended because laughter was heard at this side of the House; but, he could truly assure him that the House did not laugh at him, but at his quotations from Mr. O'Connell's speech, which flesh and blood could not resist. But, putting this extraneous matter aside, he wished to ask their Lordships if they knew what was the object of the noble Marquis, and what course he meant eventually to pursue? It was not sufficient to say, that Ireland was not in a satisfactory state. The noble Marquis ought to have gone on to state his opinion as to what ought to be done. The noble Marquis stated, that a man was murdered, and that two men were taken up for it, but that the Magistrates had not been able to get evidence to bring home the crime to them, and were obliged to let them go. But would the noble Marquis have a law to convict men without evidence? Could they justly convict men without evidence? Certainly a law of that kind would not be the best mode to protect the innocent. The noble Marquis cried no, and it would appear, therefore, that his meaning was, that the system of intimidation which he said prevailed in Ireland should be put down. He agreed with the noble Marquis that intimidation did prevail to a great extent, and that there was too great a tendency to yield to it in every quarter. He did not mean to say that the Magistrates of Westmeath were indifferent to their duty, but he feared that, in too many places, a disposition (as the noble Marquis said in another sense) was shown to truckle to popular excitation. If such were the case, it was much to be lamented, and he could only say, if the gentlemen of a county were not true to themselves, no one could assist them. Did the noble Marquis mean to state, that there were not in the county of Westmeath the means by which this system of intimidation and violence by the rabble could be put down?

The Marquis of *Westmeath* said, he did not mean to say that there were not means.

Lord *Beresford* said, that the noble Marquis was perfectly correct in making that observation.

Lord *Plunkett* said, that, if there were not materials in the country from which tranquillity could be produced, it was vain to call upon his Majesty's Government to make measures of protection out of a state of things which could not furnish the means. But he did not agree with the noble Marquis that such was the case. Did the noble Marquis mean to say that Westmeath was different from other parts of Ireland? In the county of Clare, and the county of Limerick, there had been declarations as strong as that which now proceeded from the Magistrates of Westmeath, and representations were made of the impossibility of living in the country unless new laws were enacted, and new powers of coercion given. He spoke of facts that were notorious. It was well known that great disturbances had prevailed in those counties—that a system of resistance to the laws had been pursued—and that intimidation, and a determination to deprive persons of their property, followed up by acts of outrage and spoliation, had been persevered in to a degree that it was impossible to paint, in the counties of Clare and Limerick. The Government was called upon to take a short cut, and put down these excesses by new laws; but the Government gave the same answer as that which Lord Anglesey now gave to the Magistrates of Westmeath. And the consequence was that, without going beyond the ordinary course of law, such measures were taken as restored Clare and Limerick to that state of tranquillity in which they remained at present. These circumstances could not be disputed. Without meaning any offence to the Magistrates of Westmeath, or any imputation of their not having discharged their duty, he could not help expressing his confidence that tranquillity would be restored after a little time. At present a good deal of angry feeling prevailed. It had been said, that a state of open rebellion would be preferable to the present system in Ireland. He did not know of any thing that had a less tendency to prevent such a calamity than when a noble Lord attacked the Government without cause. He did not impute to the noble Marquis any hostility to the noble Marquis at the head of the Irish Government, but he had certainly made a very strong attack upon the Government. He had not, however, stated what were the particular causes of the disturbance and the alarm in Ireland. The only cause which he had mentioned was the prevalence of discontent on the subject of tithes. Did the noble Marquis think that he was serving the cause of public peace, or taking a course likely to promote the restoration of tranquillity, when he came there to arraign his Majesty's Government, who, as the noble Marquis must know, were at this moment anxiously employed in devising means to give satisfaction to those who had just grounds of complaint—to put down illegal resistance to the constituted authorities, and to secure the rights of the clergy? When the noble Marquis knew that a system of this kind was forming by his Majesty's Government with the assistance of Parliament, did he think that he was aiding the cause of public tranquillity when he attacked the Government at the moment when they were engaged upon that object? What law would the noble Marquis have introduced? Did he state that the Marquis of Anglesey had, in any one instance, refused to give all the assistance in his power to have the laws carried into execution? If the noble Marquis had read the evidence given before the Committee which sat on the subject of tithes, he would find the most ample testimony to the anxiety of the Lord Lieutenant to afford protection in every instance. It was true, as the noble Marquis said, that the application of severe laws alone was not the means to which a statesman would look, to put down disturbances, and to extinguish the feeling which he described. It was true, that coercion and conciliation must go hand in hand. He trusted that, if his Majesty's Government did not find persons of the most opposite politics and principles, united to defeat them, they would, after a short time, have the satisfaction of seeing Ireland restored to tranquillity. Every good man must go along with them in entertaining that wish. But, its accomplishment would be rendered very precarious, if, in every step which they took, for the purpose of putting down disaffection, they were threatened by persons who were opposed to each other on every other point, joining and combining together for the purpose of disabling the Government from doing its duty. The person to whose speech or letter the noble Marquis had referred, abounding as it did in tropes and figures, was not lending his aid to assist his Majesty's Government. Those who were directly opposed to him had not lent their aid. But yet he could not give up the hope that, in spite of both these parties—he would not call them factions, for he did not wish to say anything offensive to anybody—who were, by their acts—although he did not suspect them of any real intention—conspiring against the tranquillity of the country, there was an honest feeling in the people of the country, and in the gentry, both Protestant and Roman Catholic—for he made no distinction between them—which would enable his Majesty's Government to do its duty, and restore public peace and order.

Viscount *Beresford* begged to repeat what he had before stated, perhaps a little out of order, that it was impossible to preserve the peace of the county of Westmeath by the ordinary means at the disposal of the authorities. It was dangerous for any person living in an isolated part of Ireland remote from protection or succour, not only to take a part, but even to express an opinion against the system of intimidation and outrage that was carried on there. He did not believe that it was the desire of the peasantry of that country that the outrages should continue. He would mention to their Lordships a conversation which he had had with one of his own tenants. He said to him, "Do you and your sons (two stout young fellows) go to these meetings?" And the answer the man gave him was—"Will your Lordship protect us if we don't? I am in a continual state of unquietness respecting these two young slips (as he called them). I am afraid, if we do not go, we shall be murdered, or our property destroyed; and if they do go, I am afraid the law will catch hold of them." He recommended the man to go on as quietly as he could, and to avoid such meetings as much as possible. The noble and learned Lord had brought forward the tranquil state of Clare as a matter of great triumph. Did he mean that Westmeath and Kilkenny and the Queen's County were to undergo the destruction which had taken place in Clare before any measures of relief were granted? Were the inhabitants to have their fields ploughed up, and their property destroyed? To a certain extent he concurred in what had been stated, that open rebellion would be better than the present state of Ireland, for there was now a war, but the war was all at one side. The agitators and sub-agitators had got hold of those who were formerly called 40*s*. freeholders, that is, men who were never worth a farthing, and they kept the whole country in a state of terror. That was the state of Ireland at present, and he said that a state of open rebellion would be better for the quiet and the quiescent. He would join with all his power to assist the Government, as far as he had the means, but he wished to see some measures adopted for the protection of lives and property.

The Earl of *Longford* said, that almost all he had intended to say had been much better said by his noble friend who had last addressed the House. His noble friend had plainly showed their Lordships that the gentry of Ireland, in calling upon their tenantry to assist them in quelling disturbances, only placed themselves, and those they wished to assist them, in a situation of danger, in which neither could protect the other. Their Lordships' had just heard of a murder committed in the open day, upon a person whose only offence was that of expressing his honest opinions in a public-house. The man, it appeared, was murdered near to the house, in the presence of a great number of people, and yet it was found impossible to bring forward any one to give evidence. Here was a striking case of wanton murder, and the state of society was such as prevented the murderers being brought to justice. The consequence of giving evidence in such a case would be, that the witness would have to shut himself up in his own house, and even then, he would not be safe. It was unjust to state, that any portion of the gentry of Ireland wished for rebellion; and the forced interpretation which had been sarcastically put upon the statement of the Magistrates of Westmeath was most unjustifiable and unbecoming. To ask a body of Magistrates, in the language of the noble and learned Lord, "Do you want rebellion?" was, in his opinion, very unfit language to use, and the more unbecoming from a person in the station of the noble and learned Lord. He assured their Lordships that the resolutions of the Magistrates were nearly unanimous, as all of them had attended the meeting, with the exception of two or three, who were probably absent because they had not paid their fees. With regard to those fees, he had certainly advised the payment of them in the first instance, at the same time, assuring the Magistrates, that he should use every exertion to get them returned. There were fifty-one names to the resolutions, and he could assure their Lordships that both he and the Magistrates thought they were acting a friendly part to the Government in affording them evidence, and an opportunity of obtaining additional powers for the purpose of restoring tranquillity. It was with this object, they had given their advice, and he was sorry it was neglected. How could they, without additional powers, put a check to the licentiousness which existed? How, without such powers, were murders to be prevented, delinquents punished, or life and property secured? Much as he disliked the Ministers, and he did not for an instant conceal his aversion to them, he could not for a moment suppose, that they willingly encouraged outrages; but yet, he contended, that they were bound not only to enforce the existing law, but to call for any other which might be necessary for the suppression of crime. The noble and learned Lord had said, the county of Clare had been tranquillized without any new measures; but then he should like to know from the Adjutant-General, how many troops were found necessary for that purpose? and he should also like to know, what were the number of police stationed in the same county? Why, the fact was, that the whole county was studded with military and police, otherwise order would never have been restored. It was also said, that there was not much resistance, which was true, and for this reason, that intimidation was almost universal. He regretted the reception which the complaints of the Magistrates met with, and he condemned still more the reflections which had been cast upon them, for he could truly say of those Gentlemen, that there was not a more honourable, loyal, and, in the discharge of their duties, a more firm and temperate body of men in any country. They had shown their moderation as well as firmness, in good and bad times; and it was with indignation that he had heard of aspersions which had been cast upon them elsewhere. When they called for vigorous measures, they only required them for the maintenance of order, without the least wish, on their parts, to impose any unnecessary restriction upon the liberties or enjoyments of their fellow-subjects. What they wished was, that the proper authorities should be armed with the necessary powers; but the use of these they did not require, except upon great emergencies. It was not the use so much as the existence of such powers which they desired, knowing as they did, if the disaffected once felt that the Government were clothed with the authority, they would not further venture to violate the law. He never had been attached to any violent party, nor had he ever been friendly to any unnecessary coercion or restraint, but he wished to insure the supremacy of the law, and establish tranquillity in Ireland.

The Earl of *Winchilsea* joined most heartily with the noble and learned Lord opposite in hoping that peace and tranquillity might be restored in Ireland, but he was not quite so sanguine in his expectations, that it would be, considering the course which had been pursued by the Government in Ireland. It had been asked, in what particular that Government had transgressed or neglected its duties? He thought he could mention several instances. Was not the promotion of Mr. O'Connell, a premium upon agitation? There was another act of the Irish Government still more reprehensible; he meant that most disgraceful one, the dismissal of Captain Graham from the commission of the peace, and that, too, after that respectable Magistrate had shown a laudable zeal in the suppression of disorder, and also after that gentleman had been legally acquitted of the charges which had been preferred against him. This act, also, was a direct encouragement to agitation, and he was surprised how any Government could deal so harshly and so unjustly towards a meritorious public officer, whose best efforts were directed to the preservation of peace. So strongly did he feel the injustice done to Captain Graham, that he should, if no other noble Lord more conversant with the subject interfered, move for copies of all the papers connected with this transaction. With respect to the Lord Lieutenant's answer to the address of the Magistrates of Westmeath, he was of the same opinion as had been expressed by other noble Lords, that it conveyed an indirect censure on those gentlemen, for his Excellency expressly said, that if they had performed their duty, the country would not have been in the disturbed state in which it was. It certainly would have been more becoming in the Lord Lieutenant to have pointed out in what particular manner the Magistrates had neglected their duties, rather than vaguely to have insinuated such a charge against them.

The Earl of *Roden* said, the people of Ireland, and of the empire at large, were greatly indebted to the noble Marquis who had opened the debate, for having called the attention of their Lordships to the alarming state of Ireland. This was a question which deeply involved the character of the Government of Ireland, and, feeling how much they had engaged themselves with one of the parties, it was not t all surprising to observe how silent they were on the subject, particularly at this alarming crisis, at which, he regretted to say, that Ireland was in a more deplorable condition than she had been at any period since the year 1793. In that unfortunate country, no man could feel his life safe for a moment out of doors, if he ventured to express or entertain opinions different from that of the agitators, and it was most essential that the real condition of that country should be made known to their Lordships, for, if it was known to them, they would, he was convinced, soon take measures to protect the well-disposed portion of the inhabitants. The noble Earl at the head of his Majesty's Government had once stated, that he was ready to call upon Parliament for fresh powers for the suppression of disturbances in Ireland whenever there was a necessity. Now, he called upon the noble Earl to redeem his pledge, for the time had assuredly come when such powers were absolutely necessary. Already was the trial by Jury, he might say, suspended. Witnesses were prevented from giving evidence, and no person differing in opinion from the mob could feel his house or his life safe. What must be the condition of persons living in exposed places, or in thatched houses, or remote districts, if an outcry was raised against them, or if they attempted to attend as witnesses, or decide as Jurors? Let their Lordships only recollect what had lately taken place in Kilkenny, where a verdict was given manifestly in obedience to the cry of the agitators; and this intimidation was not, as was supposed by the noble and learned Lord, confined to one or two counties, but was universal. Of this there was the strongest evidence, not only from the opponents of Ministers, but also from their friends. As an instance of this, he would beg leave to read the Address from the Magistrates of Kilkenny, which had been forwarded and approved by a noble friend of his who was Lord Lieutenant of the county, and a very warm supporter of the Government. On the 16th of March last, the Marquis of Ormonde wrote to the Marquis of Anglesey in these terms:—

"*Kilkenny, March* 16, 1832.

"My Lord Marquis—As Chairman of a meeting of the Magistrates of this county, convened yesterday, for the purpose of taking the present state of the county into consideration, I have the honour to enclose to your Excellency the resolutions entered into, and in which I most fully concur. Certainly nothing but the most prompt and energetic measures can be expected to restore tranquillity. I also forward the sub-inspector's summary of outrages committed in the county during the last seven months; but your Excellency must not suppose that, frightful as that summary is, it contains anything approaching to a full amount of the outrages committed during that space of time. No doubt exists of many persons concealing with studious care the robbery of their arms, and other offences perpetrated. It has been found extremely difficult to punish adequately persons appearing with arms in their possession, such persons not being discovered in the actual commission of crime. Intimidation has been carried to such an extent as to make it scarcely possible to procure information, or to obtain by it any evidence by which offenders may be brought to justice. One of the most horrible outrages which has yet occurred took place on Tuesday last. Potts, an English engineer, employed in Mr. Wandesford's (my brother) colliery, was murdered by four men in the noon day, and in one of the most densely-peopled districts in Ireland. Twenty persons were looking on; they did not afford the slightest assistance to the unfortunate man, nor have they since given any clue for the apprehension of the offenders. I have the honour to be your Excellency's obedient and humble servant,

"Ormonde, Lieutenant."

The Marquis of Anglesey's answer was as follows:—

"*Dublin, March* 19, 1832.

"My Lord—I have the honour to acknowledge the receipt of your Lordship's letter of the 16th, conveying resolutions signed by twenty-five magistrates of the county of Kilkenny, representing its deplorable state, together with a summary of crime committed between August 1831, and the latter end of February, 1832. I have long been but too well aware of the disturbed state of that part of the country. I have anxiously watched it, but I have clung to the hope that a vigorous course of proceeding at the Assizes would produce a salutary and powerful effect. In order that the ends of justice might not be impeded through intimidation and undue control, I threw into the county and the adjacent parts a considerable body of troops and constabulary. These arrangements had the effect of preserving tranquillity, but the circumstances attending the first criminal prosecution that took place having left no hope of an effectual assertion of the law under the existing excitement, it was wisely determined to postpone further proceedings. In this state of things it appears to me necessary that the most determined measures should, without a moment's delay, be adopted for bringing the turbulent spirits which infest the country into a state of subordination and submission to the law. I am under a firm conviction that those now existing are, if duly enforced, amply sufficient for the protection of the peace and for the ends of justice; and experience affords ample proof that, where the magistrates, the gentry, the farmers, and other persons possessing property, unite to protect each other, these laws will be too powerful for the wicked and the disaffected, who will shrink from the presence of men, acting with all the power of law and authority, and who, notwithstanding their combinations and illegal bonds of union, must be in hourly dread of being betrayed by their companions in guilt. To the laudable endeavour to vindicate the laws, which I venture to calculate that your Lordships, in conjunction with the magistrates, and other persons of respectability, will strenuously promote, you may be fully assured that I will give the most ready support. Previously to the receipt of your Lordship's letter, I had ordered the selection of three most active and intelligent stipendiary magistrates, and of one hundred additional policemen, to move to the county of Kilkenny, and I will take care that an ample regular force shall be in co-operation, and that some of the officers belonging to it shall be furnished with commissions of the peace. From these forces patrols may be occasionally sent out by day and by night; but, in their employment, it is imperative upon me to require that none shall move without a magistrate. When, by a spirited display of union and co-operation of all that is loyal and respectable in the county—when, by the announcement of a fixed resolve to put down turbulence and outrage, and to relieve the county from the tyranny under which it is groaning, by the base confederacy of unprincipled, sanguinary, and abandoned men, the deluded people shall see that there is a combination of all that is good against all that is bad—that the magistrates are determined rigidly to enforce the law, and that they are powerfully supported, not only by the Government, but by public opinion, there cannot be a doubt that law will resume its empire, and that tranquillity and good order will be restored. I have the honour to be, my Lord, your Lordship's faithful and humble servant,

(Signed) "Anglesey.

"The Marquis of Ormonde, K. S. P., &c. &c."

Their Lordships would perceive there was a considerable difference in the answer to this address and that to the Magistrates of Westmeath. Still he must condemn the conduct of Government in refusing the application; and he felt satisfied that, if nothing more was done than to depend upon the present law, the inevitable consequence would be destruction of lives and property, and then general misery and destitution. It was not fair, it was not just, to charge the gentry of Ireland with any neglect of their duty; and when the noble and learned Lord said the gentry and Magistrates of Ireland, if true to themselves, could put down turbulence, he was only endeavouring to shift from the Ministers that responsibility and censure which properly attached to them. He stood there as the advocate of that maligned class, the magistracy of Ireland, and he would take upon himself to say, that there did not exist a more high-minded, or a more loyal, body of men, or men more attached to the Constitution, or greater lovers of true liberty, which it was the great object of their exertions to establish. He had lived amongst them, and it would be little short of baseness in him not to rise at once and repel such a charge. But, he would ask, what encouragement had the Magistrates received? what inducement had been held out to them to exert themselves? or what protection was profferred them in the discharge of the important duties which they had to perform? Let their Lordships recollect what had been the fate of Captain Graham—who went out and exerted himself in the suppression of riots, and who, in consequence of his activity, was subjected to two trials, on both of which he was acquitted. Yet, notwithstanding all this, he was dismissed from the Commission of the Peace. That respectable gentleman was put to 400*l.* expense, which, considering that he had a family of seven children, was a very great inconvenience. The gentleman of whom he had spoken was a Magistrate for four counties, in each of which he was much respected, and the crime for which he was dismissed was that of doing his duty as a man and a Magistrate. So strong was the feeling of indignation excited by this act, that several Magistrates went up to Dublin for the purpose of resigning their commissions, and would have done so were it not the opinion of their friends that the peace of the country would be still further endangered by their resignations. It was not merely the Magistrates of Westmeath who thought the present law insufficient: the same opinion prevailed amongst all the thinking men in that country; and it was because the law was not found sufficient, and because the Government did not afford protection, that the loyal subjects of Ireland found it necessary to unite themselves for their own protection. It was a notorious fact, that in the county of Down, where he resided, a district of country was for two successive days, in the possession of an armed body of insurgents, amounting in number to about 2,000 persons, marching in the day time, and in open array, through the country. He had in October last communicated the fact to Government, and had received a civil answer, but there was no step taken to punish the rioters or to take away their arms. This he considered great neglect on the part of the Government, which was bound to use every exertion not only to restore peace, but also, by way of example, to punish offenders. This apathy of the Government was complained of throughout the country, and was represented in petitions presented from Cork and Dublin to their Lordships. Such opinions as these, coming as they did from the nobility and gentry of Ireland, were entitled to respect, and did not deserve to be designated, as they had been, as the cries of a faction. He was not ashamed to avow, that he had taken a part in the formation of a Conservative Society in Ireland, but it was instituted, not for the purpose of aggression, but for protection; and he was sorry to see the Protestants of Ireland reduced by the neglect of the Government to that state which left them no alternative but to unite for self-preservation. He had joined the Protestant party as a conservative body who wished to save their lives and properties. This they had done because they saw encouragement given to agitation, because they saw the Government truckling to Papists, and because they saw an unhallowed attempt to get over the Catholic party to the support of the Government. What, he would ask, would justify the attempt which had been made to get over the leader of the Catholics to the side of Government, and that by offers of place, which was nothing else than a bribe?

Earl *Grey* denied that any offer of a situation under Government had ever been made to Mr. O'Connell.

The Earl of *Roden* continued, it could not, at all events, be denied that Government had given that Gentleman a silk gown, and by such means the learned Gentleman was rewarded for his agitation while others were dismissed for having done their duty. He again thanked the noble Marquis for having brought forward the Motion, and hoped the Government would yet take some more energetic steps to tranquillize his unfortunate country, or at least to give protection to its loyal inhabitants.

Earl *Grey* was sure that it must be tiresome to the House to hear the same thing re-asserted and denied over and over again. But as the noble Lord who had just sat down had repeated now for the hundredth time, that the Government had offered an official situation to Mr. O'Connell, and that in doing so they tendered a bribe to the leader of the agitators, he, (Earl Grey), would repeat his denial that such was the fact. The Government had not offered a situation to that Gentleman; but he would repeat what he had before asserted in the House when the same charge was brought against the Government—that if Mr. O'Connell had followed a course more consistent than that in which he had chosen to persist, with the conduct becoming a good subject, there was no legal situation under the Government for which his talents and knowledge did not fit him. For his part he (Earl Grey) would have been glad if any forbearance on the part of the Government, or any efforts towards conciliation, could contribute to the tranquillity of Ireland; and surely no man who knew that country, and the influence which that Gentleman possessed there, would deny the advantage of bringing him (Mr. O'Connell) over to the cause of good order. In addressing himself to the subject immediately before the House, he would first remark that the Motion under consideration was brought forward by the noble Marquis, as he said, not in a hostile spirit towards the Government, but to bring the state of Ireland fairly into view. Whatever the noble Marquis's intentions were, however, his Motion would have the effect of producing feelings and impressions calculated to embarrass the Government as far as regarded Ireland. It arraigned them before their Lordships, and at the bar of public opinion, as having neglected their duty in not using all the means in their power for the protection of the loyal and peaceable inhabitants of that country, and for the preservation of the public tranquillity. This charge was founded upon the fact, or rather the assumption, that the present laws being insufficient, new laws ought to have been proposed. He, therefore begged, in the first place, to tell those noble Lords who were so vehement in their accusations of the Government, that they would, perhaps, have done more good to their country, if they had pointed out what species of laws they would recommend for the purpose of remedying the evils of the present condition of Ireland, and stated in what manner any new laws could be applied, so as to prevent the system of intimidation now prevailing, and furnish the means of procuring evidence against and ensuring the conviction of those who were guilty of crimes, for he presumed that none of their Lordships had any intention to propose that the magistrates should have the power of punishing without conviction, or of convicting without evidence or the intervention of juries. He had been much appealed to on this occasion, though he was at a loss to comprehend why a charge was brought against him of having left unredeemed the pledge which he gave at the commencement of the present Administration—namely, that wishing, as far as possible, to conciliate the people of Ireland, and wishing, too, to give them the full effect of that beneficial measure to which the noble Lord alluded, it should be his first endeavour to remove all just causes of complaint; but that if, after that endeavour, he should find it unfortunately impossible to quell the spirit of lawless violence and insubordination unhappily prevailing in many parts of that country, and to restore the public peace by means of the power already at the disposal of the Government, he should not be slow to come down to their Lordships and to ask Parliament for further means of accomplishing that object. That was the pledge he gave; and that pledge, whenever the necessity arose, he was prepared to redeem; and he trusted their Lordships would not think him called upon now to ask for further power, in consequence of resolutions made in the spirit of those quoted by noble Lords—and that their Lordships would not, on such grounds, condemn him for not having had recourse to those measures which, in his admirable answer to the magistrates of Westmeath, the Lord-Lieutenant of Ireland said, were not, in his opinion, called for—the present laws of the country, if duly enforced, being sufficient to put down all disturbance. The present debate had supplied some proof of the soundness of that view; and he trusted their Lordships were fully convinced that it was not only desirable, but that it was the positive duty of the Government, using the most vigorous exertions first to try to put down the spirit of insubordination and violence by the present laws, and these means failing, then, and not till then, to have recourse to further measures—but to abstain, as long as possible, from employing extraordinary powers, inconsistent with the practice, and at variance with the spirit, of the Constitution. His noble and learned friend had mentioned Clare as an example of the efficiency of the existing laws if duly enforced. "Aye, but," said the noble Earl, (the Earl of Longford) (who from the expressions of hostility he made use of against the Government, did not appear to view the question in a very calm state of mind), "Clare was pacified; but how was that done? By means of the existing laws, I allow; but then it was done by supporting the administration of those laws with a large military force, and an additional police." What was that but an enforcement of the law? It was true that a large military force was sent into that county, and it completely answered the purpose for which it was intended, and he trusted the force at the disposal of Government was sufficient to preserve the peace of the country, whenever it might be necessary to call in the aid of the military. They had been employed, and successfully employed, in the very instance which the noble Lord quoted; but if the army in Ireland (amounting as it did to 25,000 men, with a police force of 5,000 more) were not sufficient, and if such a necessity should arise as that contemplated by the noble Marquis, he and his colleagues were prepared to propose to Parliament, however unwillingly, if it could be avoided, an addition to the regular army; for they thought the regular army was the force, of all others, which would be most effectual in putting down disturbances in Ireland. He should, therefore, prefer that to any other species of force, the object of Government being to decide equally and impartially between the two parties which divided that country—not to look to the right or to the left—to see no distinction of colours—orange or green—but to exert the powers of the law to protect the public tranquillity; in a word, to win a victory for the cause of peace and good order, not to achieve a triumph for either party. This had all along been their object, and that object would be pursued; and if any addition to the force of Ireland should become necessary, that addition should be made by an increase of the regular army; for, in that country, party feelings but too often degenerated into party violence, and could only be kept in order and subdued by the strong hand of the Government. It was well known that Clare and Limerick, were, as had been stated by his noble and learned friend, in as bad a situation when the present Administration came into office, as either Westmeath or Kilkenny could be at present, or had been at any time lately. The same complaints were then made that the Government was remiss—that there was no protection for property—that witnesses could not be procured—that men's lives were not safe; all this was stated; and, instead of those exertions which the Government had a right to expect from all classes of his Majesty's subjects, it was called upon for new laws and for a revival of the Insurrection Act. Instead of these the Government sent down special commissions, troops, and additional police, and exhorted the magistrates to do their duty, and the law had been enforced, and tranquillity restored. He would beg leave to read to their Lordships a passage from a letter which he had received after the termination of the last Assizes for those counties, from a gentleman whom even the noble Lords opposite must allow to be competent to speak on the subject; he alluded to the Crown Solicitor in those prosecutions. He said, "We have been eminently successful in Clare; we have had a conviction in almost every case." So much for the impossibility of obtaining a conviction under the existing laws. "The number of capital convictions at these Assizes is greater than at any others. The peace of Clare is perfectly restored, and Limerick and Kerry were never so quiet." He then goes on to say "that all the Insurrection Acts that were ever passed would never be half so effectual towards restoring the tranquillity of the country as the ordinary existing laws, if duly enforced." This was what he had said, when the disturbances were at the highest, when the magistrates were all crying out for the Insurrection Act. To the application of that Act he always had a great objection, because it led the people to imagine that they were not fairly dealt by, and he was confirmed in his aversion by the proofs he had mentioned, that the exertion of the Government to enforce the ordinary laws were sufficient for all good purposes. With a disposition, and a firm resolution to do the same in the other parts of the country which were in a state of disturbance, he did not think the Ministers could be blamed for adhering to the law, being, at the same time, determined that no vigour, no resolution, should be wanting on their part, for the enforcement of those powers which they now possessed, or which Parliament might hereafter confide to them. It was said, that it was unreasonable, nay more, that it was unjust and cruel, to call upon the people of a country to exert themselves for their own protection; and he believed, that one of the complaints of the magistrates of Westmeath, in their letter to the Lord Lieutenant was, that they were required, to go out and patrol the country. That was their duty, and the country had a right to expect it from them. In Kilkenny, a part of the county had been proclaimed, a military force had been sent into it, and all that was required of the magistrates was, that they should patrol the county, accompanying the military force; and this was a condition which the noble Marquis thought it hard to impose on them. He lamented, indeed, to observe, that a feeling was growing up on the part of the country gentlemen, not only of Ireland, but of England also, to rely not on the civil force of the country, or on the exercise of their own authority, but chiefly on the military, to put down civil tumults and disorders. He, certainly, did not think that the Lord Lieutenant could be said to have done anything unbecoming his station, when he exhorted the magistrates of the country to exert themselves, so as by an active enforcement of the existing laws, to put down all attempts at disturbing the public tranquillity. He fully admitted that in many parts of Ireland, in Westmeath, King's County, Kilkenny, and Tipperary, there existed a state of things which was to be most deeply lamented; but, he at the same time thought, that, if instead of making these violent attacks upon the Government, and passing these violent Resolutions, there had been shown, on the part of what was called the Protestant portion of the people, a desire to conciliate their Catholic brethren, to support the measures of the Government, and to second the authorities of the country—if they had pursued a better and more constitutional, and, he might add, a more patriotic course, the state of Ireland would not be, as it was, painful to the heart of every man who wished her prosperity. He did not know that it was necessary for him to say much more; he certainly had been unwilling to resort to extraordinary laws, while he did not see any necessity arise which was not provided for, by the execution of the existing laws, and by the application of the force in the hands of the Government, or, at any rate, such as might not be provided for by an increase of that force. Would noble Lords tell him, what species of law they would propose for the purpose of preventing the system of intimidation? How could any law have that effect in a greater degree than the present law? The only measure that could be suggested, was that of granting additional powers to the magistrates—men who were too often actuated by party spirit. Unless indeed they wished for a renewal of the Insurrection Act? He would not take upon himself to say, that circumstances of so calamitous a nature might not arise as to require some law of that kind, but it was a law which he should be sorry to see put into execution, when he considered the character of its enactments. It conferred on magistrates the power to transport persons found out of their houses between the hours of sunrise and sunset, who were not able to give a good account of themselves. Was not that a power which their Lordships should be very guarded in conferring? Let but those noble Lords who wished for that power, unite with Government in giving effect to its present measures; and he would answer for it, that without additional laws, without increased powers, and even with only the force which the Government now possessed, peace and security, and with them prosperity, would result to that country, blessed, as it was, in its many natural advantages, though unhappy in that spirit of disunion, and discontent, to which it was so much subject, and which was so much fostered. He had stated that it had been the object of the Ministers to steer a middle course, not giving a triumph to either party, but to do their duty in the preservation of the public peace. Unfortunately, in steering that course, they had been exposed to what too frequently results to those who adopt such measures, they had drawn upon themselves the enmity of both parties. He did not, he would not, attempt to conceal that the situation of Ireland was most calamitous: but he hoped noble Lords did not think that Ministers were indifferent to such a state of things, or unwilling to exert themselves to the utmost of their power to correct it, because they were unwilling to adopt the extraordinary measures recommended by the noble Marquis. He did not know what the noble Marquis meant to take by this Motion, nor what was his object in making it. He had no objection to the production of these papers, although, at the same time, he did not think the noble Marquis had shown any parliamentary grounds for granting them. He had no wish to cast any imputation upon the particular magistrates who signed the address to which the noble Lord Lieutenant's answer was given; but he must say, with respect to that answer, that he was willing to participate in any censure which might be cast upon it. There was not a single word in it of which he did not approve. He would not allude to the various statements of that address further than merely to mention the complaint made;—it was that of a man not being prosecuted, against whom the Attorney General stated there was not a sufficient case, and another instance was that of two men having been discharged, because the evidence against them also was insufficient. How could their Lordships remedy such cases as these? But the noble Lord said, we must put down intimidation, he, (Earl Grey) said there was no mode of doing that, but by a vigorous application of the laws as they now stood. He regretted extremely the spirit in which these discussions were carried on, and he really dreaded to introduce any subject to their Lordships' consideration, for as sure as it was introduced, did it create animosity and cause violent language. He might have availed himself of a parliamentary ground, to resist the Motion, but he did not wish to do so, but would content himself with saying, that he desired every information to be given to their Lordships, and he would ask them, whether, there was any ground for the charge, that Government had not used every exertion to protect the loyal and peaceable inhabitants of Ireland. He had only one more observation to make, and that related to Captain Graham, a noble Earl had threatened to bring his case before the House, he had only to say, he was ready to meet it. He was glad that the subject was to be brought before the House in a distinct shape; and when it came under discussion, noble Lords would see that the Irish Government was not so much to blame as some noble Lords thought fit to assume. In conclusion, he could not sit down without once more deprecating the warmth with which on this, as on most other occasions, questions connected with Ireland and its Government were discussed in that House.

The Duke of *Wellington* said, he regretted as much as any man the warmth which crept into the discussions on Irish subjects, and it should always be his desire to allay it; but he begged to remind their Lordships that this irritation was not the growth of the present day; in fact, it existed ever since the two countries were united. It was quite clear, from papers already before their Lordships, that the state of Ireland was most melancholy, as there was no security there either for life or property. It was idle—he could tell the noble Lord at the head of the Administration, who seemed to expect a speedy termination of the agitation and revolutionary spirit which manifested itself in the counties of Kilkenny, Queen's County, King's County, and Tipperary—to hope for such a consummation. Those counties were, at that moment, from a total absence of all law and protection to the subject, in a situation which, unless the Government was prepared to send into each of them a sufficient force to quell the state of anarchy, under which no man could deny they laboured, nothing would mend or improve. The revival of the Insurrection Act was called for, but was Government even sure that the Insurrection Act alone would be sufficient? In his opinion it would not be effective, for their Lordships should recollect that, by far the most atrocious and most numerous acts of violence were committed during the day time. He did not positively know if such was the case, but, at all events, it was stated in the public papers. A cry had been raised against the gentry of Ireland for calling on the Government for the enactment of such a penal Statute as the Insurrection Act. He admitted that its powers were most extensive, and that, on trifling occasions, it would be the highest impolicy, nay, worse than impolicy, to listen to an application for its revival. At the same time, their Lordships could not be astonished if gentlemen struggling under that state of things which existed in Ireland should feel that they could not rely upon their property being secured to their children, when they saw that the laws of the country could not be enforced, as no witness to acts of violence, from the effect of intimidation, could be induced to come forward. Such being the case, he repeated, their Lordships could not feel astonished if the gentry were to say that a spirit of combination reigned in the country, and, at the same time, called upon them, in energetic terms, to put down that combination, and enact measures which would enable the authorities to carry the law of the country into execution. He did not hesitate to say, that he looked upon the state of Ireland with the most gloomy and clouded anticipations. He saw, in the first place, that the Magistrates of that country had no confidence in the Government, and, on the other hand, he could not shut his eyes to the fact that the Government placed no confidence in the Magistrates. In such a state, what but anarchy—what but confusion, and what but combination, and that of the most disastrous description, could prevail? Allusions had been made, in the course of the debate in which their Lordships were then engaged, to a document signed by the noble Marquis at the head of the Government in Ireland, in which that individual expressed his sentiments on the state of that country—a document which, coming from the authority it did, could not fail to excite a gloomy and desponding impression. It was said, that the statements in that letter were, in a degree, exaggerated, and that there was no reason for the expression of such a strong opinion on the part of its noble author. He did not think so. On the contrary, he was confident that the Lord Lieutenant of Ireland had reason to express the sentiments which he did in that paper, and, at the same time, he was ready to give full credence to what the Noblemen and gentlemen had stated respecting the landed gentry of the country. From his (the Duke of Wellington's) residence in Ireland, he was confidently enabled to assert, that no set of men were more anxious to perform the duties which they owed to the country, and to discharge the labours incident on the Magisterial capacity, than the landed gentry of Ireland. They did their utmost to restore in the country the peace which it had lost, but the success of their exertions must eventually depend on their uniting with the Government. He would recommend to them to endeavour, in every possible way, to secure the peace of the country, and to set the example to those who were not in the same state of life with them. Above all, let them, as far as they possibly could, maintain an union between themselves and the Government. It was not, however, to them alone that he would offer his advice. He would recommend the Government to adopt every possible means, and that without delay, to conciliate the confidence of those gentlemen. He could not help feeling that those gentlemen had some reason to complain of the conduct of Government. He was one of those who thought that, if Government intended that the gentry of Ireland should give their real and effectual assistance in keeping the peace of the country, they (the Government) ought to afford them their support, countenance, and assistance, on every occasion that their conduct or measures in the preservation of peace might make them the object of party malice or unjust attack. It was, above all things, necessary, that, between the Government and the gentry, there should be no petty cavilling about trifles. If gentlemen performed their duty without incurring the charge of malicious rigour or improper motives, they ought to be protected, and ought not to be punished for any trivial mistake or error of judgment of which they might be guilty, or because they might happen to be obnoxious to any party in the country. Allusion had been made by a noble Lord to the case of Captain Graham; and, although he was not desirous of then remarking at any length upon that subject, as it was shortly to come before their Lordships in the shape of a substantive motion, he begged leave to offer a few observations respecting it. In explanation of the treatment of Government to that individual, it was said, that the Lord Lieutenant had expressly stated to him his disapproval of the yeomanry being called out. Now, how did the case stand? Had every Magistrate of Ireland who did not signify his concurrence in such disapproval, met with the treatment that Captain Graham suffered? Certainly not; and that such was the case would appear from the following circumstances:—In consequence of the expression of disapprobation on the part of the Marquis of Anglesey, to the calling out of the yeomanry, two Magistrates, Captain De Renzy and Mr. Irwin, threw up their Commissions, alleging a conviction that the maintenance of the peace was impossible, unless the Magistracy were armed with extensive powers. To those gentlemen the Lord Lieutenant addressed circular letters, desiring that they might continue in the Commission of the Peace. But what was the treatment of Captain Graham? He was put upon his trial, and a solemn inquiry was entered into in a Court of Law, the result of which was, a complete and honourable acquittal; the Grand Jury, at the same time, stating, that he was entirely innocent of all the charges brought against him, and hat there was not the slightest ground for any imputation on his character. But what did his Majesty's Ministers do? Why, notwithstanding the acquittal, they immediately directed his name to be struck off the Commission of the Peace. And, although no blame was imputable to him, except that he was obnoxious to one particular party, they, in defiance of every principle of justice and of honourable treatment, thought proper to fix a stigma on his name. He repeated, he could not divine on what principle of common fairness it was, that this gentleman, an individual of property and respectability, having for many years served his Majesty, whose only crime was a successful resistance to a very serious attempt to disturb the peace of the country, and to resist the execution of its laws, should be punished, after he had been in a solemn manner honourably acquitted by a Jury of his fellow-countrymen. The cause, was, however, very apparent. It could not be denied, that all this was done because Captain Graham, unfortunately for himself, was odious to a particular party in the country. Well, what was the natural consequence of this weak and temporizing conduct on the part of the Government? Undoubtedly it had induced a feeling among the Magistracy of Ireland, that they incurred personal responsibility in taking strong measures for the preservation of the peace, and, of course, they slackened in the performance of their Magisterial duties. But was the case of Captain Graham the only one in which a weak spirit of temporizing was evinced? Did not the evidence taken before the Tithe Committee, in almost every page, display similar acts of weakness and lack of resolution? There was one case to which he would beg particularly to refer. It appeared, a large body of men assembled near Thomas-Town for the purpose of expressing their resistance to tithes. The Magistrates read the Riot Act, and desired them to disperse. They did disperse for a time, but afterwards returned to the ground; the result of which was, that forty-one were taken up, and imprisoned, all being guilty of a breach of the Riot Act, in not dispersing within one hour of its being read, and being ordered by the Magistrates so to do. But what course did the Irish Government pursue on that occasion? A special order of the Lord Lieutenant was sent down, and the forty-one individuals imprisoned for a breach of the law were set at liberty within one day of the imprisonment. As it was stated, in the evidence taken before the Tithe Committee, the consequence of this act was a general, and he could not but admit, a very natural, expression amongst the people at large, that the Government were not in earnest in their condemnation of the system of resistance to the payment of tithes, and among the Magistrates a feeling that, in any forcible measure which they might deem it their duty to adopt, they were not likely to have the support of Government. Nothing could, he thought, be more impolitic than was the decision of Government in the case to which he alluded, inasmuch as it combined to deprive them of the confidence of the gentry of the country; and he could tell the Government, and he could tell the Lord Lieutenant of Ireland, that, no matter what law or what force they might deem it requisite to employ, until they had the assurance of the co-operation and confidence of the landed proprietary of the country, they might rely upon it that it never would be pacified. It was not law, nor troops, nor the exercise of force that was united in Ireland; it was conciliation between the Government and landed proprietary of the country. He recollected perfectly well, that a noble Lord (Lord Sidmouth), who was in office at the period of the Manchester riots, wrote down to express the thanks of the Government to the Magistrates for their conduct on that occasion. He regretted that a similar course had not been adopted on the occasion of the conflict at Newtownbarry. It would, indeed, have been worth the while of his Majesty's present Ministers to have taken a lesson from the noble Lord to whom he alluded, for they might rely upon it that it was the very best advice that could be given them. There was one observation which he desired particularly to make before he sat down. He fully agreed with the noble Earl (Earl Grey) that if any force was to be called into action for the suppression of disturbances in Ireland, the regular force, and not the yeomanry, should be employed. He gave not this opinion from any dislike to the yeomanry; on the contrary, that force appeared to him most useful and constitutional; but they were liable to be influenced, particularly in Ireland, by party spirit, which might lead them to the exercise of greater violence than might be either prudent or desirable. He would, therefore, should it be resolved to apply force, prefer voting an increase to the standing army, than consent to the employment of the yeomanry corps.

Lord *Plunkett* wished, although not strictly in order, to say a few words respecting the case of Captain Graham, to which the noble Duke who had last addressed their Lordships had alluded. The cause of that individual's dismissal was in consequence of his having, as was conceived, very indiscreetly called on the yeomanry to act in the unfortunate transaction at Newtownbarry. It was not necessary for him, then, to state the melancholy results of that conduct. Twenty-one lives had been sacrificed.

The Marquis of *Londonderry:* My Lords, I rise to order.

Lord *Plunkett:* I at once submit to the call of the noble Lord.

The Marquis of *Londonderry* continued —I can assure the noble and learned Lord I have no wish to prevent his making a second speech upon the one question, but, looking to his doing so as a matter of order, I must say, that, of all the proceedings I have ever witnessed in this House, considering the extreme pertinacity with which, on several occasions, the noble and learned Lord enforces the maintenance of order—

Lord *Plunkett:* I have already deferred to the call to order; I shall not say another word.

The Marquis of *Londonderry:* I must say the present proceeding, on the part of the noble and learned Lord, is most disorderly. I have myself, on several occasions, suffered from a rigid adherence to the rules of the House, and shall now enforce them.

Earl *Grey:* I admit that, according to the strict regulations of your Lordships' debates, no noble Lord can twice speak on the same subject; but it is usual to admit an infringement of that rule when a noble Lord desires to give an explanation of facts arising in debate. [Here there were loud calls for Lord Plunkett.]

Lord *Holland:* I have no hesitation in saying that, on the point of order, when the noble Lord (the Marquis of Londonderry) calls my noble and learned friend to order, that noble Lord is, himself, most completely out of order. My noble and learned friend distinctly stated, at the commencement of his speech, that he was out of order in again addressing the House, which apology your Lordships, at that time, tacitly received, and permitted my noble and learned friend to proceed. The only grounds which it appears the noble Marquis can offer for refusing to hear my noble and learned friend is, that, on a former occasion order was enforced in your Lordships' House, in a manner personally disagreeable to him. I am sure your Lordships will not, for such a reason, refuse to hear the explanation of the noble and learned Lord.

The Marquis of *Londonderry:* I beg to assure the noble and learned Lord, that, had I been aware of a fact which has been just communicated to me, namely, that he is about to depart for Ireland, I am the last person who would offer the least opposition to his making his parting speech, even though it was a little out of order. I have myself suffered so very severely on this point of order, that I thought I was justified in enforcing it in all cases, and particularly when I happened to find the noble and learned Lord the offending party.

The Earl of *Glengall* said, since the proceedings of Thomas-Town had been noticed, he felt it necessary to state, that he was himself the Magistrate who directed the capture of those persons who were called Hurlers, and were forty in number. The Lord Lieutenant having referred the circumstances of their apprehension to the Attorney General, he had no alternative but to liberate them on bail, according to the advice of the Crown Lawyers. These persons assembled with drums and fifes, and came armed to the ground where a meeting was appointed to be held for the purpose of resisting the payment of tithes to two clergymen, neither of whom had received a farthing for two years. Ten days after this occurrence one of these clergymen was stoned to death within 200 yards of his own door in, open day. The other clergyman, while standing at his own door with his son, was fired at, and the latter was killed. If this was not anarchy, he knew not what deserved that name. He had been acquainted with Ireland in the worst of times, but he never knew it in so dreadful a state as it was at present. In that state it would remain so long as the Government continued to be unable or unwilling to put down the revolutionary associations which were spread over the country. A revolutionary parliament was sitting in Dublin. Jacobin clubs were established in every part of the country. It was revolution these democrats had in their heads; and, if the law was not vigorously enforced to put them down, they would succeed in their efforts to separate Ireland from this country.

Viscount *Melbourne* was very unwilling to detain the House at that late hour, and he would only reply very briefly to one or two observations which had been made by noble Lords opposite. He concurred altogether with the noble Duke (the Duke of Wellington) that it was no less the duty than the interest of the gentry and clergy in Ireland to give every assistance in their power to the Government for the security of their property, and for the preservation of the peace of the country. But in the case of the persons who were sentenced for rioting at Thomas-Town, he wished to assure the noble Duke and the House, that the Government had laid the whole of the evidence respecting the transaction in which these persons had been concerned before his Majesty's Attorney General in Ireland—a Gentleman whose knowledge of the law and fitness to advise the Government no one could question; and it was upon his advice that those persons had been guilty of no breach of the peace, that the Government had directed their liberation upon giving bail. There was, therefore, no reason for accusing the Government of an indisposition to assist the Magistrates.

The Duke of *Wellington* had not given an opinion as to whether the Government was right or wrong in liberating those persons. All he had said was, that it was an unfortunate occurrence, inasmuch as it had given the Magistrates an impression that that they were not cordially supported by the Government.

The Earl of *Wicklow* expressed his regret that the noble Lord (Lord Plunkett) had been prevented from giving an explanation respecting the case of Captain Graham. He was very anxious to know on what grounds Government would attempt to vindicate their treatment of that individual, for he (the Earl of Wicklow) had an opportunity of convincing himself that the conduct of that gentleman, in the transaction at Newtownbarry, was in strict accordance with the directions of Government.

The Marquis of *Westmeath,* in reply, observed, that the noble Earl had said, he always approached the discussion of an Irish subject in this House with some degree of dread. He was not surprised at it; because it so happened that the demagogue, having for his object to disgust the English people with Irish affairs, for the purpose of effecting a separation between the two countries, had, to a certain extent, succeeded by imposing upon the Government to give way to his clamour. This he naturally knew would increase the opposition of the party on principle opposed to him in Ireland; and in thwarting their resistance, by rendering himself still more troublesome to the Government, he succeeded in disgusting the Minister. This ought to be a lesson to every Englishman of every party and degree, to have no political sentiment in common with so undisguised an enemy to the welfare of his country. The noble Earl had also asked, with respect to the disturbances in Ireland, whether the Insurrection Act would suffice to quell them? He (the Marquis of Westmeath) in reply, said it would. The noble Earl said, it was a law to ensure conviction without a Jury, and without evidence. Without a Jury—yes; but without evidence—no. Evil times required extreme remedies; but, under this law, life could not be affected, although liberty might be somewhat abridged to secure geral tranquillity. Neither did the Magistrates of Ireland covet the powers of that law. They might be confided to other hands, if the noble Earl desired it, as long as security was given to society against the disturbers of its peace. The noble Earl had read an extract of a letter from Mr. Barrington, the Crown Solicitor in Clare, stating, that there convictions had taken place in every case. How, in every case? The noble Earl had been prudent in not stating in every case of alleged crime. The Crown Solictor's letter merely meant in every case where he had had evidence to put a prisoner on his trial; therefore, this boast of the powers of the common law in Clare amounted to nothing. The noble and learned Lord, the Lord Chancellor of Ireland, had asked him, as an objection to the picture he had drawn of the inefficiency of the law, whether, because he stated that a man's murderers had been discharged without trial, from the want of the means of procuring evidence, he wished a law to be passed to have those men convicted without evidence? If he had intended to make such a proposition, it would be downright nonsense. What he said was, that the law could not be carried into effect to arrest or punish crime, because a system of terror prevailed. He must insist that the letter of the Lord Lieutenant to the Magistrates of Westmeath was no answer to their address. It was impossible for them, with the force at their disposal, to put down the conspiracy which disturbed the peace of the country. The war in Clare had been a war against middlemen, but the war now carried on in Ireland was a war against property of every kind. The noble and learned Lord also asked him, whether the county of Westmeath could not afford materials for a patrole? To that he must answer, that the country was generally organized, and that calling on the tenantry would not be prudent or considerate, for that no one could say such a force would be efficient; besides, if the farmers should join in it, they would become obnoxious in their persons and property; and, therefore, no considerate landlord would invite his tenants to such cooperation. He could tell the noble Earl at the head of his Majesty's Government, and the noble Baron who cheered him (Lord Holland), when talking of patrolling, that he, and those associated with him, were as little unwilling to wet their feet on such a duty as the noble Earl or the noble Baron, but that such a reply to their complaints was no answer. He only wished their Lordships to understand, and the public to understand, that the case of the civil Magistrates, and particularly of the Magistrates of Westmeath, was unanswered by any of the arguments which had been opposed to it this night.

Motion agreed to.

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HOUSE OF COMMONS,

Friday, April 6, 1832.

Minutes.] Returns ordered. On the Motion of Mr. Burge, Copies of Reports from the Bishops of Jamaica and Barbadoes relating to the means afforded by the respective Islands in their Dioceses of Religious Instruction to the Black and Coloured Population:—On the Motion of Mr. Poulett Thomson, of the Duty received on Playing Cards in each year, from 1820, stating the Rates of Duty charged:—On the Motion of Colonel Davies, Returns of the Expenditure of the Colonies of New South Wales and Van Diemen's Land during the last year, under the separate heads of Civil and Military Expenses, including the Expenses of the Transportation of Convicts.

Petitions presented. By Mr. Marryatt, from the Corporation of Sandwich, against the General Registry Bill, and against the Sewers Bill:—By Mr. Gisborne, from the Operatives in certain Cotton Mills at Hyde, and of Owners and Occupiers of Cotton Manufactories in Hyde, Werneth, Newton and Godley, against the Factories Regulation Bill:—By Mr. Spring Rice, from the Tithe Payers of the Parishes of Graig, Ullard, and Powerstown, against the Irish Tithe Bill.

Navy Civil Departments Bill.] On the Motion of Sir James Graham, the House went into Committee upon the Navy Civil Departments Bill.

On the Chairman proceeding to read the first Clause,

Sir *George Cockburn* rose for the purpose of moving an amendment to the clause explanatory of the objections which he entertained to the principle on which the measure was founded. From the statement which the right hon. Baronet (Sir James Graham) made to the House when introducing the Bill it appeared to have been brought forward with a view of creating a more effectual control over the monies voted by Parliament for naval purposes, and, indeed, its object was, to establish a more complete supervision over the whole of that important branch of the public expenditure of the country than at present existed. Now, it struck him (Sir G. Cockburn), and he assured the House he had devoted no little attention to the subject, that, so far from its being likely to be attended with such a result, the arrangement which the Bill proposed would be found more loose and more inoperative than that which at present existed, or, in other words, that "the cure would be worse than the disease." Certain he was, that the Boards as at present constituted, with an efficient audit of accounts, would work much better than the plan proposed. The hon. member for Middlesex, in the course of the discussion which occurred on the first reading of the Bill, said, he thought there would be as much security from bad management and fraud in the one measure as in the other; but he apprehended that the principle on which a change should be introduced, was to effect an improvement in an existing system, and that it would be much better not to introduce any alteration in an existing system if there was no hope of making a change for the better. One of the chief objections that he entertained to the measure, was, that it took away in almost every case individual responsibility, without which, the public could have no possible security against mismanagement. With the exception of the Accountant-General of the Navy, all the various officers, even those placed over the stores and the victualling, navy, and shipping departments, were rendered by the Bill totally irresponsible for their conduct; at least, they were not mentioned in it, and, consequently, their responsibility was to be considered as nothing so far as the Bill was concerned. As a substitute for that responsibility, the Bill proposed to place a Lord of the Admiralty over each public department, who was to be accountable for every thing done in it. Now, he could not think that such an arrangement would secure the public service against mismanagement, or the public money against waste, for it was to be recollected, that no Lord of the Admiralty could be made responsible *per se*, inasmuch as, being one of a Board, his misdeeds or mismanagement, naturally fell back upon that Board, and hence would arise, an increase of that evil always so much found fault with, namely, the imposition of a great charge on the Board of Admiralty without individual responsibility. It appeared to him, that, if such an increase of duty was imposed on that Board, after a little time it would be neglected; and that the various heads of the departments, whom he again begged the House to recollect were irresponsible, would naturally find themselves called upon to take into their hands the general management of the affairs of the navy, leaving the public to look to the Lords of the Admiralty, who, in the nature of things, could not keep a perfect and efficient control over them in the event of mismanagement. When it was recollected, that, the changes to which the Board of Admiralty were liable, were very numerous, it was quite apparent, that the security which the public would have for the due appropriation of parliamentary grants would be quite insignificant and insufficient under the new plan. In calculating on the chance of the Board of Admiralty neglecting the discharge of this addition to their labours, of course he did not include the members of that Board at present in office. They were unquestionably likely to attend to that duty, if, for no other reason than that it was created by themselves, and during the period of their officiating the arrangements would be new; but after the expiration of a year or two, other individuals might constitute the Admiralty Board, perhaps not as active, or so well convinced of the policy of the arrangement, and in such an event there would be no security to the public, and no control over the various departments beyond that of the individuals at the head of the several offices. What he would recommend, would be, to constitute a Board composed of the several heads of the Navy Departments, to be presided over by the additional Lord of the Admiralty proposed by this Bill, with whom the entire control, subject only to the general supervision of the Admiralty, should rest. By such means, the public would have security for the due disposal of the money voted by Parliament, and at the same time, the members of the Board would be responsible to the Admiralty. Again, the Bill was deficient in the very material point of not establishing an efficient audit. The accounts up to March, were to be audited in six months, and they might, probably reach that House in nearly a twelvemonth from the time of their being delivered into office. If any explanation was required, they must be returned to the Admiralty, and would, most likely, not be completed until the Session was over; and before another commenced, there might be a change in the Admiralty, when the whole responsibility would be at an end. If such a board as he proposed was constituted, the members would be individually and personally responsible. These arrangements might be made without touching upon the economical part of the right hon. Baronet's plan. Allowing, however, that the Lords of the Admiralty were most anxious to attend to all the details, it would be impossible for them to do so, and properly discharge their other duties, especially in war time, when the movements of the fleet would necessarily occupy so much of their attention. He was certain, therefore, that the plan must, in this case, be so far modified, as to place responsibility in the persons of the subordinate chiefs of departments, or the whole service would soon come to a stand still. There was one other point to which he wished to call the attention of the House: the Board of Ordnance had been held up as a pattern, on which to establish other Boards, but it was framed upon principles very different from those on which the Board to be created by this Bill was founded. In the Ordnance there was a chief in each department, the chiefs united formed a Board, at the head of which was a superior officer, and each chief was responsible for his own department. The same arrangements was observed in the office of the Commander-in-Chief. In both cases the business was conducted by their respective subordinate Boards, who were in fact, responsible persons. To attain the same object in the Naval Departments, he begged to propose the following amendment, to be introduced into the Clause at line six. 'That an adequate number of 'persons shall be appointed to superintend, 'respectively, one out of the several 'branches, into which the civil department 'of the navy may be divided; and that 'such persons shall form together, assisted 'by the Chairman, a Board for conducting 'and executing the duties hitherto intrust'ed to the Commissioners of the Navy and 'Victualling Board, as the Commissioners 'for executing the office of Lord High 'Admiral may direct, subject to such re-

'gulations and arrangements, as the Commissioners for the office of Lord High Admiral may think proper to establish.' He thought that the adoption of such a system, would still leave the whole control in the hands of the Admiralty; while, at the same time, it would render these persons responsible for the due fulfilment of the duties intrusted to them. He confessed he was much surprised that the right hon. Baronet (the first Lord of the Admiralty) would not entertain this question, inasmuch, as he was quite positive, that it would be found to be a great improvement upon the measure as it now stood. Nor was there, he begged to say, any thing new in the plan he had suggested by this amendment, because, on the first formation of the navy, in the reign of Edward the 6th, a certain number of persons formed a Board, who met at Tower-hill, for the purpose of conducting the general affairs of the navy, and this Board made their report to the Lord High Admiral once a month; but they were regarded as persons responsible to the public for the due fulfilment of their important duties.

Sir *Byam Martin* rose to second the Amendment proposed by the hon. and gallant officer. It would be in the recollection of the Committee, that the right hon. Baronet had founded his reasons for bringing forward the present measures upon several distinct charges, as applicable to the Navy Board. The right hon. Baronet had commented on their disobedience and opposition to the orders of the Admiralty; and then went on to say, he hoped he could produce such examples to the House of this negligence and disobedience, and of an under-current of resistance to the Admiralty Board, as would, he trusted, induce the House to concur with him in the necessity of such a measure as that now introduced. When the right hon. Baronet made this statement, he (Sir Byam Martin) then declared that, to the best of his recollection, every particle of his assertion was erroneous. But, though from having taken notes on that occasion, he could at once have given a denial to the statement of the right hon. Baronet, he had refrained from doing so at that moment, and not content to rest upon his own conviction merely, he had moved for the production of certain documents, to confirm his impression of the erroneous representations which had been made by the right hon. Baronet. These had been accordingly furnished, and on them, he was about to submit some remarks. It might be in the recollection of the House that, the right hon. Baronet asserted, that the store-ledger had not been kept as directed, and that such was its state of arrear, that, although the attempt to bring it up had been made, it must now be abandoned, as utterly and absolutely hopeless. Perhaps the House was scarcely prepared to believe, that at the very time the right hon. Baronet was making this statement, there was no arrear at all attributable to the Navy Board; the statement, however, made a great impression on the minds of many hon. Members, and he had accordingly moved for a return showing the periods to which the issue-notes of the several dock-yards had been posted in the Navy Office ledger, on the 1st of October. He chose that day, because it was the one to which the right hon. Baronet confined his assertion, he, (Sir Byam Martin) having given up office about that day, and the returns proved that there was no arrear whatever. The right hon. Baronet caused a letter to be written by the Secretary of the Admiralty, to the Navy Board, asking for information, the object of which was, to diminish the effect of the fact he had just laid before the House. The consequence was, however, a confirmation of his statement. The letter of the Secretary to the Admiralty, ran thus—

"*Admiralty Office*, 29*th February*, 1832.

"Gentlemen,—I am commanded by my Lords Commissioners of the Admiralty to signify their direction to you, to transmit a statement, showing the state of the store-ledgers on the 1st of October, 1831, in your office; to what period they had then been brought up; to what period the ledgers from the several dock-yards had been examined; what your opinion was, as to the means of posting the issue-notes, and the practical use of the new system; and what additional labour, as to time and number of clerks, has been employed to bring them up to their present state. I am, &c.

(Signed) "John Barrow."

The answer from the Navy Board deserved attention; for it distinctly showed that the blame attempted to be cast upon it by the right hon. Baronet—in fact, rested with the Admiralty itself. After showing that the arrear, mentioned by the right hon. Baronet, did exist in October, the Navy Office letter observed—

"In reference to the state of the business, and their Lordships' desire to know what our opinion was, as to the means of posting the issue-notes, we beg to observe that, owing to the discontinuance of the abstracts of the receipts and issue of stores by their Lordships' express directions of the 18th of November, 1830, and to the insufficiency of the establishment of the store-office to meet the increased duty created by the aforesaid directions, the means were undoubtedly inadequate to the attainment of the object in view."

The fact was, that the Navy Board, being apprised of the wish of the Admiralty, had desired each dock-yard to send up an abstract of its issues; but the Admiralty, upon hearing of it, forbade the making up of those abstracts, and thus, as stated by the Navy Board, the arrear was occasioned by the Admiralty. The right hon. Baronet had also stated, that there were other instances in which the orders of the Admiralty had not been carried into effect. He had referred to an order signed by Lord Melville, directing such a reduction to be made in the dock-yards as would leave an establishment of only 6,000 men. The right hon. Baronet attempted to show three cases of disobedience to this order; but he would prove, that, in every instance, the order given was implicitly obeyed. If hon. Gentlemen would refer to that letter of Lord Melville they would find that the reduction for the charge of the year was not to be effected by the discharge of men, but by an alteration in wages. The letter from the Admiralty ran thus:—

"*Admiralty Office*, 9*th January*, 1830.

"Gentlemen—It having been determined to make a considerable reduction in the expense of the labour in the dock-yards, we have had under our consideration two modes of accomplishing that object; the one, the immediate dismissal of a number of the shipwrights now employed—the other, a reduction of the rate of earnings. In pursuance of the principle which has guided our arrangements, ever since the peace, of endeavouring to operate the retrenchments which public economy required, with the least privation to individuals, we are disposed to adopt the latter course on the present occasion: and, as the payment made under the denomination of chip-money is, in its principle, objectionable, and is that which, in our opinion, may be most conveniently to the public service retrenched—we hereby require and direct you to cause the payment of chip-money to cease in all yards on the 1st of February next, communicating to the people in the yards, that there was no other alternative than that of immediately dismissing one-sixth of the men; and we are led to hope and believe that the mode we have adopted is that which is likely to produce the least individual distress. You are to prepare and report for our consideration, the distribution which you may judge proper for the said 6,000 men in the several yards, and into the several classes and descriptions of artificers and workmen; and you are to make a corresponding diminution in the expense of the yards in the Estimates of the present year, 1830."

The first part of this letter contained a distinct announcement, that the reduction for the year was to be effected by a diminution of wages, which the Admiralty—setting, in this respect, an example well worthy of imitation—preferred to causing the distress that must have been occasioned by the sudden and simultaneous discharge of a large body of workmen. The object of the right hon. Baronet, in referring to the latter part of the letter was, to make the House believe that the Navy Board had disobeyed the Admiralty, and had made no reduction in the Estimates of 1830. But so far from the Admiralty having been disobeyed, a letter, enforcing them, was immediately sent to each dockyard. It ran thus:—

"*Navy Office*, 13*th January*, 1830.

"Sir—In pursuance of an order from the Lords Commissioners of the Admiralty, dated the 9th instant, I am commanded by the Commissioners of the Navy to direct the payment of chip money to the workmen to cease on the 1st of next month. In communicating to the Board their directions, their Lordships have been pleased to state, that there was no other alternative than that of immediately dismissing one-sixth of the workmen, to effect the necessary retrenchments; and that their Lordships are led to hope and believe the mode adopted is that which is likely to produce the least individual distress; which you are accordingly to make known to the workmen."

The amount of pecuniary saving by this arrangement was this. In 1829 the amount of wages paid to workmen was 480,000*l.*, but in 1830 they were reduced to 445,000*l.*, making a reduction of 35,000*l.* The Admiralty Order was dated the 9th of January; it reached the Navy Board on the 11th, and on the 13th the Navy Board despatched the order he had read, to the dock-yards; thus obeying the Admiralty in the most prompt and implicit manner. The right hon. Baronet further said, that the order for the reduction in the number of the men had been in operation two years, and yet that on the 1st of January last 250 only had been reduced. It was extraordinary that the right hon. Baronet, with access to documents had not made one reference correctly; though all his errors had invariably tended to the prejudice of the Navy

Board. If Gentlemen would refer to the papers on the Table, they would find the number of men employed in the dock-yards on the 1st of January, 1830, including inferior officers, workmen, and apprentices, to be 7,929; whereas the number in January, 1832, was 7,201, proving a reduction in the two years of 728 men. The next charge of the right hon. Baronet was contained in his trumpery story about the five tons of copper which had been stolen from the dock-yard at Chatham, and which theft he observed, could not have taken place, if a proper degree of vigilance in the keeping of the accounts had been observed. Now it happened that he had been materially concerned in the investigation of that matter, and the abstraction of the copper first came to his knowledge on the receipt of a letter from Birmingham, asking him if there was any harm in purchasing copper bearing the King's mark? Without communicating the circumstance to any one, he immediately sent to Bow-street, requesting an intelligent officer to be placed at his disposal, and him he despatched as his answer to the letter. He proceeded himself immediately to Chatham; and the first thing he did was, to ascertain the state of the copper in store, as compared with the ledger, which he found to be strictly correct. In fact, no vigilance exercised by the Navy Board could guard against the robbery in question; the copper having been obtained from the stores by means of the proper issue-notes, through persons appointed under a plan of the Admiralty's own establishment, and which was adopted against the wishes and advice of the Navy Board. Thus the right hon. Baronet had failed in every point, and the official documents gave a direct contradiction to his assertions. Another complaint which had been raised by the right hon. Baronet was, that works had been undertaken without the sanction of Parliament, but that was no censure on the Navy Board, for they were done by orders from the Admiralty. He challenged the right hon. Baronet to establish one instance of resistance or disobedience to the orders of the Admiralty on the part of the Navy Board, and he would ask the right hon. Baronet whether he or any other person at the head of that department would submit to any dictation or any disobedience from the Navy Board? He considered it quite impossible to imagine any power more complete than that of the Admiralty. He begged now to advert to the opinion which had been given by Mr. Barrow, before the Finance Committee in respect to the labours of the Admiralty Office. He had on that occasion stated, that, he did not think it possible to reduce the establishment of the Lord High Admiral; his four Commissioners and his two Secretaries could not be reduced, as their time was always fully occupied. How the same Board could perform all the duties of the present subordinate Boards, with only the addition of one Lord of the Admiralty, he would leave Mr. Barrow to explain, as it was said the plan of the right hon. Baronet had the sanction of that gentleman. The present system pursued in this country, with reference to the management of the navy, was that, which had been pursued in the days of our naval glory; it was one which had been adopted by France and by America; and when he saw these great maritime powers following our example, he was the more convinced of the impolicy of effecting any great change in our system. It had been well observed by an American, that he wished his country to imitate England in her sane, but not in her insane, policy. His earnest hope was, that this country would soon get rid of her present erroneous notions with regard to the new plan for improving the Naval Administration, for he considered it the most insane project that had lately been broached. He had now shown that misrepresentation pervaded all the statements of the right hon. Baronet, and, as his plan was thus stripped of all the mis-statements the right hon. Baronet had brought forward to recommend it, he did not think the right hon. Baronet was entitled to proceed with it. Those warrant officers whom it was proposed to appoint, would never dare to oppose anything coming from the new Board, however convinced they might be of its impropriety. If they did so, it would be considered as an under-current of resistance, and, perhaps, the result might be to turn them out of their places. Were he (Sir B. Martin) now in office, he would not act as it was more than probable these warrant officers would act. He would tell the right hon. Baronet that there was one part of his plan which must be productive of great inconvenience and great injustice, as regarded eighteen individuals in their dock-yards, who were educated at the Public College at Portsmouth, and who had received his Majesty's promise by Order in Council, that they should fill all the highest offices in their profession, and rise to be master shipwrights and surveyors of the navy. These persons were bound to give bond to the amount of 800*l.* that they would not quit his Majesty's service for ten years after their apprenticeship had expired. The House ought to be cautious how they became a party to any injustice committed towards these young men. If they did, they would have much to answer for. This, if he were in office, he would have told the hon. Baronet; but who would dare to tell it to him when his plan was in operation? No one, because he would be fearful of immediately losing his bread. He hoped that the Amendment of his hon. and gallant friend would be supported, and that the House would place in him that confidence to which he was so justly entitled. His proposition embraced all that was good in the plan of the right hon. Baronet, and only got rid of the inconvenience.

Sir *J. Graham* said, that he had nothing to complain of in regard to the manner in which the hon. and gallant Officer had proposed his Amendment, and he was ready to admit, that whatever fell from that gallant officer on this subject, was entitled to serious consideration. He felt it necessary, however, in the first instance, to trouble the Committee with a few observations in reply to what had been stated by the gallant Officer who had just sat down, and who, he regretted to observe, had evinced some degree of irritation in the course of his address. That gallant Officer had charged him with a misrepresentation of facts, and he, therefore, felt it incumbent on him to answer as briefly as he could the observations of that gallant Officer. The first point which the gallant Member had endeavoured to make, related to the statement which he had made, on a former occasion, with respect to the great arrear in the store-ledger. In his speech, on introducing this Bill to the House, he had stated, that the store-ledger was, at that time, in such a state of arrear, that he believed it was irrecoverable, he was now ready to admit that he was incorrect in making that statement. He would just, however, mention to the Committee the circumstances under which he had made it. In the course of last October, having visited the Navy Board, he found the store-ledger in a state of arrear which was represented to him as a state of irrecoverable arrear. That was the statement which he had received from the head of the department. The hon. and gallant Officer asserted, that that arrear had been caused in consequence of an order of the Board of Admiralty, and on account of a deficiency in the number of clerks appointed to do the business. Now, the fact was, that, in the interim between his (Sir James Graham's) visit to the Navy Board, in October, and the time when he made the speech to which the gallant Officer referred—namely, in February—that arrear which he had been led to suppose was irrecoverable had, without any additional strength in the number of clerks, but by greater exertion on the part of those employed in that department, been completely brought up. When he made that speech in February, he did not then know that such was the fact. Could, therefore, he would ask, such a deficiency, as had previously existed, in making up the arrears, be attributed to any orders from the Admiralty, or to any want of strength in the clerk department, when, in the course of three months, by increased exertion on the part of the clerks employed there, the whole of the arrears had been swept away? Another point in which he was charged with error was, with reference to the construction he put upon the order of the 9th of January, 1830, respecting the reduction of the number of men in the yards. The concluding part of that order was this:—'You are to prepare and re- 'port for our consideration the distribution 'which you may judge proper for the said '6,000 men into the several yards, and into 'the several classes and descriptions of arti- 'ficers and workmen, and you are to make 'a corresponding diminution in the expense 'of the yards in the estimate of the present 'year, 1830.' By a very odd coincidence, an opinion was expressed in the early part of this Admiralty order, and which was signed by the hon. and gallant Admiral, who had moved the Amendment, in which exactly the same view of the case as that adopted by the Government, was taken. It stated:—'We hereby require and 'direct you to cause the payment of chip- 'money to cease in all yards on the 1st of 'February, 1830, communicating to the 'people in the yards that there is no other 'alternative than that of immediately dis- 'missing one-sixth of the men; and we 'are led to hope and believe that the mode 'we have adopted, is that which is likely to 'produce the least individual distress. We 'are well aware that the reduction thus 'ordered is not, either in its principle or 'extent, sufficient; but, you are to under-

'stand that every opportunity of reduction 'in the number of workmen is to be taken, 'until the establishment of men and their 'earnings be brought down to what it ought 'in sound principles to be, namely, that no 'more men should be employed than the 'nature of the works require, and, that 'such men should be employed at full work, 'and on such prices as (with reference to 'the price of labour in the country, in 'general) may be adequate to the work 'performed.' He thought there was nothing in this order which limited its operation to chip-money; on the contrary, he was convinced that the passage which he had just read, would lead any impartial person to believe that it was not limited, but general. He said, then, that the order was not complied with, either in its spirit or letter. The Board of Admiralty ordered, that the establishment should be reduced to 6,000 men, and the question then arose as to the time when these reductions were to be carried into execution. The Admiralty order to the Commissioners of the Navy, to which he had so repeatedly referred, stated:—'You are, therefore, (besides the reduction of 430 men already 'ordered to be made by the alterations at 'Deptford) to continue to the Commissioners at the ports the directions not to 'enter any more men or apprentices in the 'yard (except apprentices in lieu of others 'dying or discharged before the expiration 'of their time) until the total number be 'reduced to 6,000, which is the number 'that we at present contemplate as fit to be 'kept up during peace, and when the 'number shall be brought down to 7,000 'men, they are to be allowed to work the 'whole of Wednesday, and when reduced 'to 6,500, to work six days in the week.' How a construction such as had been stated by the hon. and gallant Officer could be put upon this order, he was quite at a loss to understand. He would ask this House whether, in the conduct pursued, the order had been properly acted on. It appeared that the number of workmen employed on the 1st of January, 1832, had been 7,200, instead of 6,000. In two years, therefore, there had been a reduction of only 687 workmen and apprentices, and forty-one inferior offices. The hon. and gallant Officer appeared to consider this a large number, but, as it included the reductions made in Deptford dock-yard, amounting to 430 persons who were discharged on the partial breaking up of that establishment, the whole diminution for the other yards did not amount to more than 270 men. The hon. and gallant Officer had next proceeded to discuss the question as to the abstraction of a quantity of copper from the dock-yards. The gallant Officer himself admitted the abstraction of the copper. Now, all that he had contended for was, that such was the state of the store-ledger joined to the inconvenient manner in which the accounts were kept, that it was impossible to prevent such things from taking place, or to detect the deficiency occasioned by these abstractions from the public stores, and this was evident, when the hon. and gallant Officer admitted that the first information which he received of copper having been stolen from Chatham dock-yard came not from any officer of the yard, but, from a person in Birmingham. Now, he would contend, that the checks must have been bad and inefficient, which allowed eight weeks to elapse before the gallant Officer received information of the abstraction of such a quantity as six tons of copper. He had no doubt whatever, that the consolidation of the two Boards would greatly relieve the burthen of business at the Admiralty, by simplifying and facilitating it. Such was the opinion of Mr. Barrow, who had great knowledge in the details of office, and much experience. He had been told, when he first used that gentleman's name, that he must have done so in error, for that he had given a contrary opinion before the Finance Committee. In addition to this authority, however, he had the satisfaction to be able to state that the noble Lord his predecessor, who had been First Lord of the Admiralty for twenty years, was favourable to the plan now before the House, and thought it practicable, and by no means dangerous to be carried into execution. Further, he begged to say, that, if changes of opinion on the part of those who had given evidence before the Finance Committee were to be referred to, he thought that there could have been nothing more extraordinary than that such a proposition as the present Amendment should have proceeded from the gallant Officer opposite, who had, before the Finance Committee, expressed himself favourable to the consolidation of the Navy and Victualling Board, though he seemed now to think that it was not desirable.

Sir *George Cockburn:* I gave no such opinion.

Sir *J. Graham:* Here is the gallant Officer's own evidence [handing him a paper.]

Sir *George Cockburn:* I deny it is my evidence.

Sir *James Graham:* It is an abstract of the evidence given by the hon. and gallant Officer before the Finance Committee. Without noticing that point further, however, he would state, that his great object was, to get rid of all subordinate Boards, which, he thought, only impeded the public business, and he adhered to the expression under-current of opposition, not meaning to use it in an invidious sense, but as expressing the desire generally felt by members of such Boards to follow their own plans. It was quite true, that the Patents both of the Navy and the Victualling Boards were most explicit as to the obedience which they should pay to the orders of the Board of Admiralty, but then, it was to be borne in mind, that those bodies were deliberative bodies, though there was an appeal from their decisions to the Board of Admiralty, by which they were liable to be reversed. Now, it was only according to human nature, that, when a body of men deliberately consulted on a subject, and came to a conclusion which, in their judgment, appeared to be best with regard to it, and, when their decision was reversed, and another plan substituted in its stead, they would not carry such a plan into prompt and efficient execution. It was under such circumstances that, in his opinion, the existence of those subordinate Boards was injurious to the public service, instead of promoting it, as the hon. Gentleman maintained. The Amendment of the hon. and gallant Officer was so far good, that it removed one of those impediments by consolidating the Navy and Victualling Boards. But his objection to the proposition of the hon. and gallant Officer was, that it was only a half measure, and that it only went to remove one-half of that evil which the abolition of both the Boards completely removed. He was satisfied that, by this measure of consolidation, under the head of correspondence, forty clerks would be sufficient to do the business, instead of seventy, as at present, so that the expense of thirty clerks would be thus saved to the public, besides introducing a degree of promptitude into the proceedings which the machinery at present tended much to check. By the existing custom, if a Captain received orders to fit his ship for any particular service, he must apply to the Navy Board for any alterations that might be necessary, in his opinion, as to the appointments of his ship. The answer generally was, that the alterations were contrary to the established regulations, and could not be allowed. The Captain then had to apply to the Admiralty, and a correspondence between that Board and the Navy Board ensued upon the subject, and ultimately, after ten or twelve letters probably had passed on all sides, a conclusion was come to which might have been effected by one letter under proper regulations, such as he proposed to establish. The hon. and gallant Officer had complained, that great injustice would be committed against eighteen individuals, by the course proposed to be adopted by this Bill, as there was an Order in Council in existence directing that they were to be presented to certain situations in the public service. There was nothing, however, to prevent the authority which issued the order from rescinding it; and it must be quite clear, that the executive must be allowed to select, on its own responsibility, those whom it considered best fitted to fill those high and important offices. That, he believed, too, was the constitutional doctrine upon that point. The present Bill, instead of doing away with individual responsibility, would enforce it as completely as it possibly could be enforced. He concurred in the objection that had been started to having part of the business of the department carried on in Somerset House, and part at the Admiralty. The result of this Bill he, however, expected, would be, to consolidate all the offices, and have the business done under one roof. As to the objections about the audit, the present was not the fit opportunity to introduce or to answer them: at the same time that portion of the business was better discharged now than heretofore, when such a strange ignorance as to the disposal of sums voted for different purposes was exhibited. The Gentlemen at the opposite side now appeared to approve very much of having a balance-sheet, but it was only justice to observe, that there never had been any thing like a balance-sheet, until he caused one to be prepared last year. That, he must admit, was necessarily an imperfect document, because it professed to give an account of money under different heads; whereas, with respect to the expenditure on foreign stations, it could include merely an estimate. He intended to obviate that difficulty in future, by establishing a regulation that six months should be allowed after the expiration of the financial year, for the returns from foreign stations to be completed. With respect to the objection made to the discharge of officers, was the Crown or its advisers to be limited as to their power of dismissing persons whom they knew to be incompetent?

Sir *Byam Martin* said, as to the officers alluded to, there were none so competent to be found within the empire, as they were men both of high intellect and great experience. The person now selected in their stead was a good practical seaman, but ignorant as a shipwright. It had been said, that he was sore at being turned out of office. That was not the case, and he was glad to get away; for he could not vote for Reform, and would not vote for Lord Ebrington's Motion; and, not being the man to do the Government work, the Government were right in putting him out of office.

Captain *Berkeley* said, that, having on a former occasion, when the Bill was first introduced into the House, declared that he believed, the extinction of the Navy Board would be the greatest possible boon to the service, and all employed in it, he would then, with leave of the House, endeavour to prove that he had not made that assertion unadvisedly, and that the Navy Board, as at present constituted, was a source of hinderance to the service, and vexation to the officers employed. But first, he begged most distinctly to guard himself from meaning any thing personal or disrespectful towards the gallant Officer opposite, for he was bound to say, that the same source which had confirmed his early impressions as to the Navy Board, that very same source, namely, his brother officers (he not having the honour of the gallant Officer's personal acquaintance), had always taught him to look up to the gallant Officer as one whose character and conduct reflected honour on the station he had obtained in the service. His remarks were directed against the Board as constituted, and its working, or rather its not working, in unison with the Admiralty. An hon. Baronet opposite, on a former occasion, had remarked that, probably his dislike to the Board was in consequence of that Board being a check upon officers, and not giving way to every alteration that the officers might fancy an improvement. Now, he begged to assure the hon. Baronet, that he by no means thought that placing the officer completely under the Admiralty as one Board, instead of two, as heretofore, the whims and caprices of officers who were more likely to be attended to, unless, indeed, they were decided improvements, and then, he trusted, they would meet with that attention which was invariably denied by the Navy Board. He would now endeavour to show the House in what way vexation and hinderance existed, and in recent instances, within his own knowledge, in so doing he should be obliged to use many technical terms, which he feared might not be thoroughly understood by all hon. Gentlemen. The first cases he would refer to were those of the *Pearl* and *Nimrod*, when they were ordered to be fitted out. On the officers joining those ships, the Pearl being 550 tons, and the *Nimrod* about 500, they found that each ship was fitted with the rigging of the size and quantity of an eighteen-gun brig, or vessel of 387 tons. The officers pointed out the absurdity of such an arrangement, but the only answer that met them was—such is your establishment, such is the Navy Board order. The commander of the *Pearl*, finding the size and capacity of his ship equal to and requiring a fourth pump—and the House should bear in mind that, on the quantity of the pumps might depend the saving of the ship—requested that it might be furnished to her; the same answer met him again—it is not your allowance, it is against the Navy Board order. Although, at that moment, there was a ship of fifty tons less burthen lying alongside the *Pearl*, into which ship the fourth pump was crammed, because she was called a frigate, and commanded by a captain, as if the rank of the officer, and not the size and capacity of the ship, were to determine the number of her pumps. The *Pearl* shortly after went to the Irish station, and in a very few months, on being ordered to Portsmouth for some alteration in her mast and yards, the rigging, which was new, and had only been in use a few months, was found to be totally inadequate for its intended duties; one short cruise had torn the heart out of it, and it was found necessary to supply the *Pearl* with new rigging of a much larger size, and, at the same time, the fourth pump was added. The *Nimrod* also went on the Irish station, and the officer commanding her shortly afterwards made a most comprehensive and elaborate statement as to the outrageous weight and size of her masts and yards, she, too, having the rigging of an eighteen-gun brig. Her yards were so square and so overlocked in stays, that it was not without considerable difficulty and danger that the ship could work in and out of the beautiful harbour of Cork, much less venture to visit the more dangerous and narrow harbours that it was her duty to visit on the Irish station. Notwithstanding that this statement, made by as an efficient officer and as good a seaman as ever commanded a ship—he would name him to the House, he alluded to Commander Rudford—notwithstanding that such statement was confirmed by the personal observation and experience of the Commander-in-Chief of the station, no alteration was permitted by the Navy Board. It was said, and it was believed, that the *Nimrod* had been masted under the direction of a Mr. Knowles, a clerk in the Navy Office. He did not know that this was so or not, but be he who he might that masted her, he had more influence with the Board than the excellent officer who commanded the ship, backed by the known judgment of his Admiral. What was the consequence? Every thing the officer foretold came to pass: in less than two years the ship had no less than three gangs of new rigging, sprung one main-mast and two bowsprits, and was constantly in the hands of the dock-yard; indeed, he firmly believed, had she been in less skilful hands than those of Commander Rudford, something very serious would have happened to her. The last time that it became necessary to supply her with new main rigging, it did so happen that he (Captain Berkeley), during the temporary absence of the Commander-in-Chief, was in the command at Cork, and at the earnest request of Commander Rudford, he had authorized an increase in the size of the rigging, which was cut out of a hawser; thereby gaining eighty yarns in each shroud; but, notwithstanding this increase, he understood that, on the ship being paid off at Plymouth, it was still found too small, and he had heard that the main rigging was to be transferred to the foremast. He trusted he had said enough to prove the total inefficiency of a Board so acting, and that, through that Board, hinderance and vexation existed. But he would trespass on their time a short while longer, to prove that the Admiralty and Navy Boards did not always act in conjunction. On sending home the accounts of the Semiramis, in May 1829, he shortly afterwards received a letter from the Navy Board accusing him of inadvertency in keeping those accounts, and cautioning him not to be guilty of the like in future. As he was not in the habit of tolerating inadvertencies in those under him, it was far from pleasing to his feelings to receive such a letter from a superior Board; he wrote back to say, that he was not aware of any inadvertency, and that his accounts were kept according to order—the reply was a repetition of the former letter. Knowing that the Board had the power to place his pay under stoppages, and that that would be the effect of such a correspondence, he was obliged to send a copy of the Admiralty order, by which his accounts were regulated. The Navy Board, therefore, were ignorant of the orders of the Admiralty, or did not think fit to act upon those orders. He had taken upon himself to state, on a former occasion, that no improvement, no plan in building which did not emanate from Sir Robert Seppings, was attended to by the Board, and that fair play had not been given to others. He had a letter from Mr. Roberts, the builder of Plymouth dock-yard, fully confirming the statements he had then made, and he believed that Captain Symonds had equal cause of complaint. [Hear, hear! from Sir Byam Martin.] If the hon. and gallant Officer doubted it, with the permission of the House, he would read an extract of a letter from that Gentleman. 'When the late Admiralty directed 'the Navy Board to construct the Colom- 'bine Sloop of War on the plans of Captain 'Symonds, and on the responsibility of Lord 'Vernon, who agreed to pay for her if she 'was found not to answer after a sufficient 'and efficient trial, Captain Symonds 'waited on Sir Byam Martin (the Comp- 'troller) with a copy of his plans, as a com- 'pliment to the Comptroller; but Sir Byam 'Martin not only refused to look at them, 'but rejected the offer even with rudeness.' For these reasons he thought the Board ought no longer to exist, and he should, therefore, support the Bill as introduced by the right hon. Baronet at the head of the Admiralty with the greatest satisfaction.

Sir *George Clerk* said, that, as the right hon. Baronet, the First Lord of the Admiralty's former speech had been fully refuted by the right hon. Gentleman who was formerly Secretary to that Board, and by documents on the Table, he had been anxious to hear any new reasons that might be urged by the right hon. Baronet for proceeding with this Bill, but they all resolved themselves into complaints of the conduct of the Navy Board. These had not, however, the least foundation in fact, and many of them were the results of Admiralty orders. The right hon. Baronet had, however, restated that there was a constant under-current of opposition on the part of the subordinate Boards to the orders issued by the Admiralty; all he (Sir G. Clerk) could say in answer to that charge was, that he had never felt it during the time he had a seat at that Board. With respect to the quantity of stores in the dock-yards not corresponding with those that ought to remain by the Store Ledger, he thought the difference might be traced to the discharge of many of the superior officers. Before that event took place, there had been no deficiency of copper, for their control over the workmen was effectual. As the right hon. Baronet had admitted, that he was in error with regard to the arrears of the ledger he would only say, that the right hon. Baronet found that error out only in consequence of the remarks made by his hon. and gallant friend. It appeared, however, that the abstracts were not remitted from the dock-yards for the purpose of keeping up the ledger in consequence of orders from the Admiralty, and on this being made known to the right hon. Baronet, on his visit to Somerset House, he ordered the abstracts to be again forwarded, and the book was completed in consequence. With regard to the objection that the Admiralty order relative to the reduction of a certain number of men was not complied with, he thought it had been clearly shown by his right hon. friend, the late Comptroller of the Navy, that the Board over which he presided had acted up to that order both as regarded its letter and spirit. The Admiralty gave orders that a reduction should be made in the number of men employed in the dock-yards. On a representation of the distress that would arise from the discharge of so many men at one time at Portsmouth and Plymouth, it was ordered by the Navy Board, that the reductions should be made as casualties might occur, until the whole number of men employed did not exceed 6,000; and this course was in strict accordance with the letter of the Admiralty. The late Navy Board issued an order of the date of the 12th of March, 1830, which, in conformity with the instructions of the Board of Admiralty, was carried into effect in the different dock-yards. These were the only grounds of complaint urged by the right honourable Baronet against the subordinate Boards, and both had been completely overthrown by the late Comptroller of the Navy. The right hon. Baronet dwelt on the abuses in the subordinate Boards, but the right hon. Baronet had completely failed to prove his charges. He would now beg leave to make a few observations in reply to the hon. and gallant Officer who had stated, that objections were made at the Navy Office to accounts offered by him. But he had not informed the House of the cause, which he (Sir George Clerk), therefore, begged to supply. The fact was, he had not brought forward the necessary documents connected with the expenditure, until he had received two letters from the Navy Board, calling on him for explanation respecting his accounts, which explanation he at last thought proper to afford. On account of the peculiar situation of the *Semiramis*, an exception was made by the Board of Admiralty in his favour; but it was not until after these steps had been taken, that his statement was considered satisfactory by the Navy Board. What did this prove, but that the Navy Board—a great part of whose duty it was to control the expenditure and examine the accounts of the officers to whom money had been intrusted—vigilantly and properly performed their duty? He, therefore, thought, that the argument which the hon. and gallant Officer had brought forward against the Navy Board was one of the strongest in favour of their vigilance and activity that could have been adduced. Then the gallant Officer told the House, that there were two Sloops of War on the Irish station, whose establishments of rigging, masts, and spars, were not adapted to their size, and that various representations were made to the Navy Board on the subject, to which he paid no attention. Now, he must remind the gallant Officer that these were experimental vessels. They were to be navigated by a crew of 115 men, and the builder was under no restrictions as to the dimensions of the vessels, nor as to the size of the masts and spars. The builder was informed that great inconvenience would arise if (with a crew calculated for a vessel of about 300 or 400 tons) he constructed a vessel of 500 tons; but, notwithstanding these representations, he persisted in building the vessels of that size. If these vessels were improperly rigged, the fault did not lie with the Navy Board, but with the Admiralty Board. He did not mean to say whether it was right or not that they should have such rigging as the gallant Officer had referred to; but this he would say, that whatever was done, was done at the discretion of the individual who tried the experiment, and not by the order of the Navy Board—all of which had previously been sanctioned by the Admiralty. The right hon. Baronet, the first Lord of the Admiralty had stated, that his plan would be attended with very great advantages to the public, on account of its diminishing the correspondence. He (Sir George Clerk) must say, that he thought the right hon. Baronet was entirely mistaken in this view. It was perfectly true, that, at present, the Admiralty had correspondence on matters of detail with the Navy and Victualling Boards; but if the Admiralty was to correspond with the officers themselves, would not the amount of such correspondence be enormous? He knew of no argument used by the right hon. Baronet as to the Navy Board, in respect of direct opposition to, or reluctant acquiescence in, the orders of the Admiralty, which went to prove that it had been prejudicial to the public service. The Navy Board frequently represented to the Admiralty objections to orders issued by them; but when the Superior Board thought proper to issue a peremptory order, there never was, to his knowledge, a disposition on the part of the Navy Board to thwart or impede the due execution of such an order. The Amendment proposed, as the right hon. Baronet said, went to the consolidation of the two Boards—the Navy and Victualling Boards; and such a proposition though he should never have proposed it, would be less objectionable than the plan of the right hon. Baronet. He was not prepared to say, that any great advantages would arise from the consolidation of these departments; but as the right hon. Baronet stated that he was unwilling to do anything hastily and prematurely and did not wish to destroy anything that was useful he would have acted more consistently with this declaration if he had advanced one step at a time—had consolidated these two Boards in the first instance, and tried how they would work together — instead of consolidating the three into one. The right hon. Baronet had stated, that it was desirable to assimilate the naval departments to the Board of Ordnance, and he had gone so far as to affirm on a former occasion, that his plan would be an improvement on the constitution of the Board. But what was the system of the Board of Ordnance? He considered it to be analogous to the constitution of the naval Departments. The Master-General of the Ordnance was not a member of the Ordnance Board: he stood in precisely the same relative situation, with respect to that Board, as the Lord High Admiral did to the Navy Board. He must further assert notwithstanding the denial of the right honourable Baronet, that the effect of this measure would be to remove the responsibility from himself, and to throw it on Parliament. He objected, therefore, to the Bill, because it was an unfair mode of shrinking from responsibility; and he was decidedly of opinion that before so great and important a change was made, a Select Committee ought to have been appointed to inquire into the whole matter. The right hon. Baronet supposed that his plan would be economical, but he was sure that the proposed alteration could only be effected at considerable expense: and in time of war he had no doubt it would be found productive of great inconvenience. For the purposes of public business, the Admiralty Offices ought not to be removed to Somerset-house, where they would be at a considerable distance from the other offices of Government; and it was particularly necessary that there should be some person residing on the spot, in order to carry into execution whatever was requisite to be done. By the right hon. Baronet's scheme all responsibility would be destroyed. To no part of the plan proposed by the right hon. Baronet was he friendly; and he should, therefore, support the Amendment of his right hon. friend behind him.

Mr. *Hume* regretted that any personal feelings had ever been brought into collision in this matter. It was not against individuals, but against the system, that he felt objections; and such, he believed, were the sentiments entertained by the right hon. Baronet opposite. Something had been said respecting the expenses to which the country had been put in educating persons for naval architecture, and on this subject he had more than once called the attention of the House. It was to be regretted that, of the eighteen individuals who had been so educated for a series of years at a considerable expense, not one could be selected eligible to succeed Sir Robert Seppings, but that an officer of the navy was obliged to be appointed. That was a point which required explanation, and certainly if these young men were not qualified, the expense of keeping up the establishment at Portsmouth ought not to be tolerated. He did not agree with the right hon. Baronet who had last addressed the Committee in what he stated as to the responsibility in the proper quarter being removed. He believed, on the contrary, that it would strengthen that responsibility. But it had also been insinuated that no great saving would be accomplished. Why, the right hon. Baronet opposite had already stated, that out of seventy clerks who had been heretofore employed, forty only would be retained, and they would be sufficiently numerous to transact the business. It was impossible to suppose that had not the right hon. Baronet, the First Lord of the Admiralty, been fully persuaded of the practicability of the plan, he would have proposed it; nor could it consistently be imagined that he had brought the matter forward without due inquiry and deliberation. He thought, not only in point of money would the Bill be found to effect economy, but also in time. By getting rid of the two steps which intervened between the applicants and Government, economy in time would be effected, and a promptitude in the correspondence also followed; for it had been admitted that the correspondence being carried on between one Board and another until it reached the fountain head, caused not delay only, but much additional labour, which would not be accomplished but by having a numerous body of clerks. Consolidation he looked upon as essential to the effective performance of public business; and consolidation, which was the great object of the Bill, would be rendered nugatory by the Amendment, and he was, therefore, opposed to its adoption. He meant to support the Bill, because he approved of its principle, and he should trust to the executive Government to carry that into effect through all the details of the service.

Mr. *Goulburn* said, he could not allow that opportunity to pass without stating the reasons which induced him to concur in the Amendment. After a full consideration of this measure, and of all that had passed on the several discussions with respect to it, he was impressed with the opinion, that it was a plan recommended to the House and the country on scarcely any other ground than that of a change in an existing system, and, in the present temper and spirit of the times, the circumstance of its being merely a change, would prove a very powerful recommendation. He, however, was old-fashioned enough to require, before he acceded to a change, some proof that it was likely to be beneficial and desirable. The change proposed by the right hon. Baronet, was founded on one of two grounds—either on the gross misconduct of the public business under the establishments previously existing, or the comparative superiority of the proposed above the existing system. The right hon. Baronet had, in a great degree, based his plan on the misconduct of the public service in antecedent periods. From the various discussions which had already taken place, and particularly from the speech of the hon. Baronet, the late Comptroller of the Admiralty, it must be clear to every man, that the charges of mismanaging the public business were entirely abandoned. Was the system, then, which the right hon. Baronet proposed, calculated to improve the mode in which this branch of the public business was now conducted? He felt a great hesitation in consenting to make any sudden change in the mode in which the naval business of the country was conducted, particularly when that change was proposed by individuals, who had only been acquainted with that service during a very short period of peace; and when he found that change opposed by persons who had been connected with these departments during long and anxious periods, who had witnessed the urgency of war, and who knew how applicable the existing system had been to the circumstances of such a time. If the right hon. Baronet could ensure a state of perpetual peace, he might go a great deal further in his changes, and it would be immaterial whether they were adopted or not; but when they looked to the possibility of war, and when they knew that the fate of the country might one day depend on the good or ill administration of the naval branch of the service, they must view with apprehension, the course which the right hon. Baronet recommended. If he were not convinced of the excellence of the present system, he ought to be cautious how he abolished it, without being convinced that the plan proposed to be substituted, was calculated to meet the circumstances of a war. The real point at issue between the right hon. Baronet (the First Lord of the Admiralty), and his hon. friend (Sir G. Cockburn) was, that the right hon. Baronet wished to accumulate upon one Board alone, the whole practical Administration of the navy, together with all the details necessary to give effect to the public service. His hon. friend thought they might retain the practical administration distinct in one Board, and that, by having another, and a subordinate Board, practically conversant with the details of the service, they might secure a more efficient discharge of the duties than could be obtained by adopting the course now proposed. He agreed with his hon. friend. The hon. member for Middlesex said, that consolidation was the soul of efficiency. To a certain degree the position of the hon. Gentleman was correct, but, like every other general principle, it might be carried too far. Extend the principle—consolidate the army and navy, and add the ordnance to it; if this was done by the hon. Gentleman, would they have the most efficient Administration possible? From his experience of official business, he had come to the conclusion, that a fair division of labour was as essential to the efficient conduct of public business, as it was in every branch of manufacture. He also thought it was advisable, in a country governed like this, in which the heads of offices were removed on political changes, that it was very important in the practical branches of the public service to ensure permanency in the subordinate Boards. But look at the constitution and nature of the Board which the right hon. Baronet proposed to appoint. The Bill said, that every thing should be done by the Admiralty. Why, the Admiralty was a Board necessarily changed with every change of Administration. What, then, would be the situation of the Medical and Victualling Departments, for instance, of the naval service? The Victualling Board was to be intrusted to a Lord of the Admiralty. He had no doubt that a Gentleman coming into that department, and applying himself with zeal and assiduity to a knowledge of his duties, might soon master its details; but by the time he acquired that knowledge, or even before, he might, from official changes, be removed, and another individual would have to learn the details of the office. By the present constitution of the Board, its permanency secured a permanency in the mode of management, and a change in the Admiralty introduced no change in that department. At present, a subordinate Member of this department, a medical man, presided over the medical branch, and he was permanently established. Hereafter he would be made a changeable officer, with every administration to the probable injury of the department. The right hon. Baronet would, perhaps, object to his selecting this particular branch of the service in illustration of his argument; but whether pursers' accounts, ship-building, or any other department of the service, was taken, it would be the same. If these departments were intrusted to individuals who, having acquired a competent knowledge of the service, were to act under the control and direction of the Admiralty, forming a superior board that would be a much better plan for the efficiency of the service, while it would guard against the possibility of ignorance or deficiency on the part of those who fill these situations, than the scheme proposed. An hon. Gentleman had said, that there would be a greater responsibility under the proposed system, than under the present. He could, by no means, agree in that opinion, for he considered that, when the head of a Board was responsible, there was a greater share of individual responsibility, than if it was thrown, as the Bill proposed, on the whole Board. However they might legislate, the responsibility of the Board of Admiralty could never be attained. The right hon. Baronet also stated, as another ground for approving this measure, that it would produce a great economy in correspondence. He entertained great doubts on that head. It was most important that records should be kept of every branch of public official transactions. These letters were records; and he could not agree with those hon. Gentlemen, who thought that, by diminishing the number of these records, the efficiency of the service would be improved. But, said the right hon. Baronet, would not every communication which was now made to the Navy Board, be made to the Admiralty, if this Bill were to pass into a law? They had heard that the decisions of the Navy Board were influenced by Mr. Knowles; and the Lords of the Admiralty would necessarily be driven to require the decision of the chief clerk of the Navy Board. But then the hon. member for Middlesex discovered that the Bill would furnish a very admirable system of audit. It was very justly said, that the essence of an audit was, that the expenditure should be controlled by some person who had also the power to control the authority of those by whom that expenditure was originally ordered to be made, and that Parliament should be satisfied that those who ordered that expenditure had ordered it on just grounds. Now, did this Bill provide that very necessary remedy against unnecessary expenditure, or did it not? He begged to call the attention of the House to the proviso with which the clause then under consideration concluded, the words were: 'Provided always, that nothing herein 'contained shall be considered to vest in 'the auditors any discretion as to the 'allowance or disallowance of any of the 'items of expenditure in respect of which 'the usual vouchers have been produced 'by the Commissioners for executing the 'office of the Lords of the Admiralty.' Under this Bill, therefore, the Lords of the Admiralty were to be the executive, who were to approve of the expenditure, and they were, in fact, the persons also who were to have the audit of the money, because the Audit Board was not empowered to say one word on the expenditure which the Lords of the Admiralty had sanctioned. He would not enter into a comparison between the audit which was proposed, and that which at present existed or any other, because he could not conceive any system of audit more defective than that adopted in the Bill. He would vote in favour of the Amendment, because it appeared more advisable to adopt the principle of having two Boards instead of three, for the management of the naval service, than to have only one, and, if that experiment should prove successful, it would then be open to consider the propriety of attempting a further change.

Admiral *Adam* supported the original Resolution. He was glad to hear that the whole of the naval departments were to be consolidated under one Board, which could not fail to lead to a great economy of expenditure, and a greater despatch of business, with equal, or even greater, benefit to the service, for an efficient control would be thereby given to the Admiralty. He was sure he was only speaking the sentiments of every officer of the service when he thanked the right hon. Baronet for the introduction of this Bill.

Mr. *Keith Douglas* thought that the Admiralty would not be competent to perform the duties of all those Boards now in existence. He supported the Amendment.

Lord *Ingestrie* objected to the want of responsibility which could not fail to prevail under the present Bill. To have at least one permanent Board, was, he thought, indispensable. He wished to notice the allusion already made to the superior class of shipwright students, who were so much affected by the late changes, and who would be so much affected by this Bill. He wished to bear his testimony, not only to their professional abilities, but to their competency to perform the duties of the higher branches of the Civil Service of the navy; and he did think that, as these gentlemen had been brought up with the hope (confirmed even by the Royal Sanction) of future advancement, and had been induced to look forward to those higher offices, it was extremely hard their expectations should be disappointed, and that they should be deprived of all prospect of ultimate advancement.

Captain *Yorke* thought that sufficient ground had not been shown by the right hon. Baronet for making such a great change in one of the most important services of the country. He was certainly of opinion that the recommendations of naval men were not the best upon which to establish civil regulations, and he knew that when their opinions had been offered, they had frequently been met by opposing opinions from the subordinate Boards. He was, therefore, surprised that the right hon. Baronet had adopted this plan at the suggestion of a Board consisting of naval officers. He could not give his consent to the measure, because he thought that in time of war, the service would not be efficient. It was by no means a novelty, and when it was tried formerly, and failed, the extent of the service was nothing like what it was at present.

Mr. *Cresset Pelham* thought that this was an unnecessary and unfounded interference with a system which had made the naval service of the country, the greatest and the most efficient that ever existed. He was of opinion, that the best way to effect improvement was, first to ascertain what defects really existed. He would not run the risk, upon mere speculative grounds, of injuring the strength and power of the country by a measure like the present.

The Committee divided upon the Amendment: Ayes 50; Noes 118—Majority 68.

Clauses agreed to, and the House resumed.

List of the NOES.

ENGLAND.
Althorp, Viscount
Astley, Sir J. D.
Atherley, A.
Baring, F. T.
Benett, J.
Berkeley, Captain
Blake, Sir F.
Blamire, W.
Brougham, J.
Burton, H.
Buxton, T. F.
Campbell, J.
Carter, J. B.
Cavendish, Lord
Crampton, P. C.
Creevey, T.
Denman, Sir T.
Duncombe, T. S.
Dundas, Hon. J. C.
Ebrington, Viscount
Ellice, E.
Evans, Col. De Lacy
Evans, William B.
Ewart, William
Fazakerley, J. N.
Fellowes, H. A. W.
Gisborne, T.
Graham, Rt. Hn. Sir J.
Harcourt, G. V.
Hawkins, J. H.
Heywood, B.
Hobhouse, Sir J. C.
Howard, P. H.
Howard, Viscount
Hughes, Alderman
Hume, J.
Jerningham, Hon. H.
King, E. B.
Langston, J. H.
Langton, Col. G.
Lawley, F.
Leigh, T. C.
Lester, B. L.
Maberly, Col. W. L.
Macdonald, Sir J.
Marshall, W.
Mills, J.
Nugent, Lord
Palmer, C. F.
Penleaze, J. S.
Penrhyn, E.
Philips, G. R.
Price, Sir R.
Robarts, A. W.
Rooper, J. B.
Russell, Lord J.
Sanford, E. A.
Schonswar, G.
Smith, G. R.
Smith, J. A.
Smith, R. V.
Spencer, Hon. Capt.
Stanley, Lord
Stanley, Rt. Hn. E. G. S.
Stephenson, H. F.
Strickland, G.
Stuart, Lord P. J.
Strutt, E.
Thicknesse, R.
Thomson, Rt. Hon. C. P.
Thompson, Alderman
Tomes, J.
Torrens, Col. R.
Tracey, C. H.
Venables, Alderman
Vernon, Hon. G. J.
Villiers, T. H.
Vincent, Sir F.
Warburton, H.
Warre, J. H.
Wason, W. R.
Wellesley, Hn. W. T. L.
Wilks, J.
Williams, Sir J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Alderman
Wrightson, W. B.

SCOTLAND.
Adam, Admiral C.
Fergusson, R. C.
Gillon, W. D.
Grant, Rt. Hon. C.
Halliburton, Hn. D. G.
Johnstone, J.
Loch, J.
M'Leod, R.
Ross, H.

IRELAND.
Brabazon, Viscount
Browne, J.
Bourke, Sir J.
Carew, R. S.
Chapman, M. L.
Chichester, Sir A.
Grattan, J.
Howard, R.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Lamb, Hon. G.
Leader, N. P.
Macnamara, W.
O'Connell, M.
Power, R.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
White, S.
Wyse, T.

TELLER.
Rice, Hon. T. S.

ARREARS OF TITHES (IRELAND.) On the Motion of Mr. Stanley, that the Order of the day be read, for the second reading of the Tithes (Ireland) Bill,

Mr. *Hume* said, he was desirous of asking the noble Lord (the Chancellor of the Exchequer), if it was consistent with the statement of a former evening to press the second reading of this Bill at that moment? The noble Lord had said, on the occasion referred to, that he disapproved of coercion, but that, whenever it should become necessary, while he would pass a Bill to coerce, he would take care, at the same time, also to pass a Bill which would remove the grievances which rendered coercion necessary. In compliance with this sentiment, the noble Lord ought to postpone the second reading of this Bill until after the bill which was to be considered as a boon to the people of Ireland was introduced. Unless he pledged himself instantly to bring in that other bill, so that both might proceed through their stages together, he thought the present coercive measure should be postponed.

Lord *Althorp* said, he did not think that, in the present Bill there was any departure from the statement he had made on a former occasion. He had said, he could not, on any principle, agree to any measure of coercion, where the cause of the evil was a grievance, unless he meant to remove the grievance; and the resolution pledged the House to do so. There was an evil pressing and urgent, and all that could be done was, to pledge the House to remove the grievance, but to bring forward at once a measure to put down an illegal combination. The arrangements for the commutation of tithes were necessarily complicated, and all that Parliament could do was, to press the measure forward as quickly as possible. He objected to the postponement of the Bill.

Mr. *Leader* said, he perfectly agreed with his hon. friend, the member for Middlesex, not only on the inexpediency of forcing on the House this harsh and coercive law at the eve of the Easter recess, but, even before a full and ample report of the evidence given before the Committees was in the hands of Members. His Majesty's Ministers might be assured that, odious as the measure o combining the revenues and powers o Church and State against the people, fo the recovery of the arrears of tithes for the year 1831, must be to the people, it would be rendered much more so by the righ hon. gentleman introducing the second reading of the Bill at so late an hour of the night, when it was known that several of the Irish Members, after a constant and unwearied attention to the business of England, were reluctantly obliged to leave town, and when every one would suppose that all new and important business would be adjourned over the recess. He should be sorry to think that the constituency of Ireland were not far more reasonable than his Majesty's Government. That constituency would not expect that, with the interval of one or two months in fourteen, that the whole time of their Representatives, to the injury of their private affairs, and at great personal inconvenience, should night after night, be exclusively devoted to their interests; and it was extremely severe that important Irish business should now be brought on, when the English business was nearly closed for the recess. For his part he totally differed from the right hon. Gentleman as to the urgency of the present measure. He did not think if the right hon. Secretary had his bill for 60,000*l.*, the sum to be advanced towards the arrears of 1831 in the districts that have passively resisted, that he would be anything nearer the payment of the tithe of 1832, and that his intense solicitude for power to recover the small arrears of 1831 should, in point of prudence and policy, be of little consideration in comparison with the magnitude of the question of tranquillizing Ireland, and giving the clergy the prospect of a comfortable and secure provision for 1832. It was his opinion that the distress of the clergy had been greatly exaggerated—for the purpose of accelerating the passing of that coercive measure. When he looked to their See lands in the disturbed dioceses, and saw their glebes, and glebe houses, and saw fifty of these distressed reverend gentlemen in possession of 227 parishes out of 359, and with land more than sufficient to provide for them, and when he knew the length of time in which they were in the enjoyment of these valuable preferments, he did not consider the preamble of the Act maintained by the evidence. And although he admitted the delay of the payment of one year's tithe might be of individual inconvenience in any district in Ireland, he maintained that he could prove the distress could not be as great as it was represented. He knew that the right hon. Gentleman had worked himself into the belief, whether from communications officially, or representations in England, or a strong opinion of his own, that this Bill was to put an immediate end to all disturbance, and all further resistance to tithe. The right hon. Gentleman had deceived himself, and the House would be deceived, if they thought a coercive measure for enforcing the arrears of 1831, in one district, would ensure the payment of tithe in 1832. The best mode of recovering the arrears would be, the introducing and passing a bill for the total abolition of tithes. It was a measure of great and urgent necessity. Whether the arrear of 60,000*l.* or 70,000*l.* were recovered a month or two earlier or later, was of little or no importance. There was another reason that should induce the right hon. Secretary not to press this measure with breathless and precipitate haste. It was the uniform practice of every person filling the office the right hon. Gentleman held, to visit Ireland during the recess of Parliament. Did the right hon. Gentleman imagine that the state of Ireland was not such as to require the superintending care of an officer responsible for the prosperity and peace of the country? Was it possible that any communication from Ireland, from those who thought they knew the country better than those who represented it, would be equal to the right hon. Gentleman's observation of the state of the country, and the advantage of a free and unrestrained association with persons of different political opinions and sects? He thought the importance of a responsible public officer's going to the country, the government of which it was his duty to superintend, could not be too highly estimated. He could not help saying, he thought it hard, after so many months' attendance, that the prospect of a month's relaxation was not permitted to the Irish Members.

Mr. *Stanley* said, it was far from his wish to hurry the Bill, and to put any one to inconvenience. The hon. Member said, he required relaxation, and yet he complained that he (Mr. Stanley) had not spent so much time in Ireland as some of his predecessors. There was a notice before the House of a motion for a return of the number of days he had been in Ireland since he had accepted office. If ever that motion should be brought forward, he should be prepared to shew that he had passed three months of the last year in Ireland, and that he had not been absent from his public duties fourteen days since he first entered upon office. He wished to forward the measure, not so much because of the distress of the clergy, as because there was an organized and systematic opposition to the law of the land. This was a state of things which ought not to be permitted to continue, and which could not be permitted to continue, without striking at the root of order and law, and reflecting disgrace upon the Government that allowed it. He could not, therefore, accede to the Motion of the hon. Member. The measure had already been much discussed.

Mr. *Sheil* felt that both parties were, on the present occasion, called upon to yield in some slight degree to each other, by which he thought much general benefit would be accomplished.

Mr. *James Grattan* thought that, by delaying the second reading of the Bill until after Easter, much time could not be lost, while much good might be effected, and, therefore, he could not but recommend to the noble Lord (Althorp) the adoption of the suggestion of the hon. member for Middlesex. The right hon. Gentleman, the Secretary for Ireland, if he were to visit Ireland, would see the propriety of a postponement of the question. However, he was prepared to go on if necessary.

Colonel *Torrens* conceived that measures of coercion and conciliation ought to go together, and he, therefore, should recommend delay, particularly as those who now sought to carry the measure of coercion might not be in office to bring forward that of conciliation.

Mr. *Wyse* had that day received a petition from the county he had the honour to represent, bearing the signatures of 17,000 of his constituents, praying for delay in the decision of the present question. In that prayer he fully and entirely concurred. During the approaching recess, the right hon. Secretary would have an opportunity of personal investigation, as well as the Irish Members being afforded that of consulting their constituents upon this weighty and important question. He, therefore, entreated the Government to defer the consideration of the measure until after the recess, by which they would be enabled to bring forward at once their measures of coercion and conciliation.

Sir *Charles Wetherell* hoped the Secretary for Ireland would not follow the advice of his five-and-twenty Irish friends; for, if he did go to Ireland, in all probability he would never return. Besides, if the Secretary for Ireland did go there, he would be alone, and would have the duties of Lord Chancellor, and Lord Lieutenant, besides that of Secretary, to perform. Such a state of things as the present he believed had never before occurred. He believed the Lord Lieutenant, the Lord Chancellor, and the Irish Secretary, had never before been absent from that country at the same time. Certainly it might be said, that the tranquil state of that country rendered the presence of those functionaries unnecessary, particularly as there was at present in that country an hon. and learned gentleman who sometimes sat near him in that House, and who united in himself political and legal talents such, as to fit him for the office of Chancellor, the vice-regal character, or any other. He hoped, however, that the Bill would not be postponed, whether the Right hon. Gentleman went to Ireland or not, for the subject of the Bill required to be treated at once, and with decision.

Mr. *Ruthven* said, that, if there was one reason which ought to have sway over the minds of the Government to accede to the postponement of this measure, it was the existence of a very impatient feeling on the part of the House to listen to the details, or to discuss them. There was already a great feeling of irritation abroad in Ireland, which would by no means be appeased by the demonstration of such a feeling on the part of the House and the Government. He implored the Government to grant the delay required, and to show some natural feeling for their fellow subjects.

The Order of the day read,

The Speaker put the question—"that the Bill be read a second time."

Mr. *Hume* did not wish to create delay, but he begged to inquire of the noble Lord, the Chancellor of the Exchequer, since the Bill was to be proceeded with, at what time the other Bill with respect to tithes would be brought forward. He put the question because the noble Lord had himself admitted that coercion ought to be accompanied with conciliation, and, therefore, he should be glad to know when the measure of conciliation would be ready. He expected a reply, because he thought it might influence those who were anxious that the cause of irritation should not be unattended with remedial measures.

Lord *Althorp* was not prepared to reply to the inquiry of his hon. friend, the member for Middlesex. The Tithe Committee was still sitting, and he, therefore, could not give a positive answer.

Mr. *Hume* said, that was a good reason for stopping the present measure altogether.

Mr. *Ruthven* said, that he felt it to be his duty to rise, though he was well aware of the probable impatience of the House, and its aversion towards the discussion of a question, which some might imagine to be wholly Irish, and in which there could not be any hope of effectually resisting the right hon. Secretary if he continued to press the matter without even allowing a short interval and pause for enabling himself and the House to increase the information already obtained. A Committee above stairs was still sitting—its labours had not terminated—further evidence was required—and he believed witnesses were yet expected to arrive for examination before the Committee could make any additional Report to the imperfect one upon the Table of the House. However, he feared there was a strong disposition to legislate upon the question of tithes prematurely and oppressively, without any pause admitting of calm dispassionate deliberation, founded upon a knowledge of Ireland, and of the mind of the Irish people, which he thought requisite to supply better means of proving how to govern and to manage the interests of Ireland, than seemed to be apprehended by those who had the power in their hands at the present moment. He had endeavoured to solicit, or rather to join with his hon. friends near him in the attempt to procure a small respite for the people of Ireland on the present occasion. His hopes were lessened, perhaps, they now scarcely extended to anything of a positive kind, but he would not be wanting to his country in not offering his efforts, feeble as they might be, in its cause. The hon. and learned Gentleman opposite (Sir Charles Wetherell) had said, now was an opportunity of seeing whether the twenty-five Members who had opposed this Bill, were the real or pretended friends of the right hon. Secretary. He would not make any remark on the observation, beyond saying, that it would be by their conduct they ought to be appreciated and judged, and he trusted they would pursue their even fair course, unaffected by any sarcasm or colouring given to their motives. Of the Bill he could say nothing that was good. The preamble set out with making a charge against the people in certain parts of Ireland, which was unsupported and unjustifiable. The combination, the existence of which had no shadow of illegal existence, at least beyond those every-day assertions of lawyers which were never wanting, where there was an object to gain, consisted of a general feeling, a simultaneous concurrence of feeling tending to the one point, without anything of that kind of illegal combination, which some persons anxiously hoped to find the people involved in. Their word never had been given, and it became, therefore, necessary, for their total control, to resort to cruel, severe, and unjust laws. The people had submitted to insult and oppression with a submission and forbearance that disappointed and alarmed their enemies; they had not been provoked into breaches of the law, by tumult or riot at any one of the numerous meetings held to petition Parliament against the unequal and unjust burthen of tithes. The course which, in many instances had been pursued, was by no means uncommon or new; he could point out many parishes where there had been a disagreement between the tithe collector and the tithe payers. The parishioners, thinking too much was demanded, refusing to pay in money, or to become the purchasers of the tithe produce, it was set up and carried off in the usual mode provided by law. However, it had often happened that the clergyman had found that it was his interest to relax in his demands, and take a moderate value for his tithes, in preference to engage in what was called drawing the parish, and taking tithes in kind. Now, what had been done recently to require this threatened coercion? The process of the law had not been resisted, even under oppressive provocation to do so; an alarm had been excited, and not from a very creditable source, and a temptation held out to the enemies of the people, to support and encourage the enactment of new and unheard-of laws for their oppression, and, he might call it, persecution; for this the proposed Bill would be likely to produce, if ever it unfortunately became the law of the land. The old practice should not be interfered with in this hasty and rash manner, and the clergy should be left to the discreet management of their parochial affairs, according to their individual discretion, regulating their agreements for tithes with their parishioners, receiving in kind, or in money, as their reciprocal interest heretofore regulated the arrangements according to the established law and custom of the country. Though these laws required alteration, and though it was admitted that the extinction of tithes had become necessary, why this premature coercion, this cold blooded persecution, this threat, which arrogated to itself the efficiency of every thing desired, by terrifying the people through the means of an example in the persecution of one or two individuals? But all this project was fallacious—this Bill—this ephemeral law—would become abhorred and despised; its memory would be detested as long as it was preserved by the recollection of its insulting offensiveness and inefficiency. But did the supporters of the Bill fear to allow the opportunity of any further expression of public opinion in Ireland to reach this House? Were they afraid of the people coming to their senses, and finding the folly of their disunion? Did they begin to feel that the northern Protestants were not likely to continue the dupes of passion, and of their heated party animosities, which, on all sides, tend so much to impede the comfort and prosperity of Ireland? In the north of Ireland there had already been meetings, he might say of parishes exclusively Protestant and Presbyterian Dissenters, almost wholly the latter description, at which the desire for the abolition of tithes had been expressed as fully and as strongly as in any other part of the country. Were these meetings likewise to be classed under the sweeping denunciations which he was astonished to hear applied to men of the highest respectability, of anarchists, combinators, conspirators, and all these epithets which reflect little credit upon any person resorting to them, to impose on the ignorant and timid, in the vain attempt to prop up their own want of reason and justice? From high authority, he could state, that a great body of the Presbyterian Protestants considered the payment of tithes militated against their conscientious feelings and opinions, and were, therefore, opposed to them on religious principle, though they submitted to them as an impost and grievous taxation imposed by laws, from which, however, they anxiously desired to be relieved. Ireland should also be looked at in the new point of view it was placed in by Catholic Emancipation. The Catholic was improved and elevated in society—he walked more erect, and estimating himself as he ought, he felt that he had new duties to perform, and hailed the approach of the day when Protestant and Catholic would no longer look at each other mutually suspicious, but would merge in the common character of Irishmen, and be heartily disposed to promote the general happiness and welfare of their country. Reform had also agitated the country. Had this agitation impeded its rapid strides?—and had not that agitation been looked upon with no unkind eyes by many of them, who now changed their position, and appear in the inconsistent characters of friends to Reform in the State, but enemies to Reform in the Church? How could this be reconciled? Such Reforms must proceed, *pari passu*. The people required it, and would not be long imposed upon. In this country hope and expectation of Parliamentary Reform, had produced a calm, but an anxious—an awful suspense. Parliamentary Reform was the cause of the people; it could not be long withheld—it was supported by the good and the wise—by those who seek to meet the coming times, and to substitute an honest Representative of the people as their best protection and safeguard against the horrors and dangers of a revolution. Ancient institutions had been overthrown, and the fairest fields of Europe desolated, from a most senseless obstinacy in opposing every wish, every fair demand, of the people in various countries. Let them avoid such calamities, and let justice be done, that the miseries of revolution may be averted by the wisdom and firmness of a wise and just policy, so that no inducements might exist to resort to measures leading towards real anarchy and a revolution, too probably accompanied with crime and outrage stained with blood. It was impossible to consider the present state of Ireland without deep concern and apprehension. The question of tithes was vitally important to the peace and well being of that country, perhaps as much so as that of Parliamentary Reform, for it could not be separated from that. Reform in Church, as well as in State, could alone meet the demands and the future interests of Ireland. Tithes were paid, not by the miserable, wretched paupers of the country—they were collected from the industrious occupiers of the whole land—the real representatives of the landed property—the agents and managers of territorial soil, which they occupy and cultivate for the landed proprietor—such were the farmers—such was their position and true character. Were they to be classed with the most degraded members of society? Ireland had too many enemies, or rather too few friends. Why, in this new project, there were proclamations to commence with, as if proclamations in Ireland for special, particular purposes, were in good odour in that country. They were rather out of fashion; had produced a great deal of irritation; became inefficient and contemptible, and latterly their perfect insignificance was accompanied with every feeling of disgust. He was satisfied, so abhorrent would be the mind and feeling of the people, to the present proposition of law proclamation, under the manœuvres and regulation of the Attorney General, with all the consequent persecution of individuals, with law costs, decrees, imprisonments, and all the machinery of legal invention, that they would with much more satisfaction read the proclamation of a military commandant—a general officer, with all his train of attendants, and even arbitrary authority, because it would be less offensive to their feelings. They might also expect the benefit of the influence of high military honour, ever to be found in the breast of a gallant British soldier. This, indeed, he believed there might be reason to receive with more respect and hope than the wily legal intricacies so often, where opportunity exists, directed towards entrapping and destroying the best men in an unfortunate country. It would be no discredit to the right hon Secretary to show some little kindness to Ireland, and the concession of the delay of a very short period, indeed, was now only to be sought by the Amendment which he would beg leave to move. He believed the delay of one month could not materially affect any objects of the right hon. Secretary. Many great and important matters respecting Ireland had been postponed; he would rather say, postponed, than forgotten, for such things as the Grand Jury laws were of no trivial moment. There were also various other affairs relative to Ireland worthy of some notice. He, however, could not sit down without observing, that upon this day, when it appeared in the regular entries of the business and Orders of the Day, that the Bill for Reforming the Representation of the people in Ireland was to have been read a second time, that we heard nothing of that; but instead of doing so, were called upon to receive, as its substitute, a Bill of extreme severity and coercion, compromising all the old understood principles and practices of law, in order to give powers unknown to the Constitution, and to place them in the most objectionable hands. This seemed so closely allied to persecution, that he felt a hope that its inefficiency would be likely to divest it of the mischief which must arise from the intended severity. He concluded by moving that the Bill be read a second time this day month.

Mr. *Callaghan* was certainly among those who had voted for going into Committee upon the propositions which formed the basis of the present Bill, and he had also supported them in Committee, but he certainly did not feel that he was thereby pledged to the support of the Bill before the House. He had supported the Resolutions brought forward by the right hon. Secretary for Ireland, upon a distinct reliance upon the unequivocal declaration of the noble Lord opposite (Lord Althorp) that the measure of coercion should be accompanied by the measure of relief. Now, he thought the present measure of coercion quite unnecessary and quite uncalled for; and feeling as he did upon the subject, he unquestionably should consider it his duty to vote against it. He could not find any sufficient reason for the precipitancy with which the right hon. Gentleman was endeavouring to hurry this measure through the House. He must declare the present to be a measure of most unnecessary coercion. Any good that was sought could have been for the present sufficiently effected by the Resolutions that had passed through the House. These Resolutions must, by showing to the country what the feelings and intentions of his Majesty's Government were, have the effect of completely checking any combination that might exist against tithes. The people of Ireland loved justice, and if they got fair play it was all they asked. He had, perhaps, exposed himself to some censure by the former vote he had given on this question, but in any vote he gave, he was influenced by no other consideration than a conscientious wish to act as his convictions prompted him. However, in voting for the former measures, he felt that he had gone as far as he consistently could, and he should feel it his duty to oppose the further progress of the Bill at present, and until the measure of relief was laid before Parliament. No possible good could result from urging forward this measure in the manner in which his Majesty's Government were pressing it forward. The impatience manifested in urging it through the House would increase, rather than allay the irritation existing in Ireland; and feeling a conviction that such would be the result, and that any object which the Government could reasonably have in view would be sufficiently accomplished for the present by the Resolutions which had passed. He should support the Amendment.

Mr. *Long Wellesley* rose with sorrow to notice the deep tone of despondency used by the hon. Members of Ireland. There was evidence to satisfy every man that the law had been violated in Ireland, and no one, in his opinion, could fairly object to arming his Majesty's Government with a moderate power for the enforcement of the law. He viewed this Bill as a most important measure, and was desirous that a commutation of tithes might be accomplished upon due consideration of what was due to the Church. He could not advocate spoliation. He did not wish to destroy Episcopacy, but thought there should be a fair arrangement of Church property in Ireland. That was, however, a question of great importance, and the Government could not be expected to rush incautiously into it.

Colonel *Torrens* supported the Amendment for postponing the second reading of the Bill for one month. He did so on the principle stated by the noble Lord (the Chancellor of the Exchequer), that the coercive measure for the enforcement of the arrears of tithes should go hand in hand with the conciliatory measures for their final commutation. The commutation involved difficult and nice calculations, and could not be immediately carried into effect; and, on the principle stated by the noble Lord, the coercive measure should be delayed until the conciliatory measure could accompany it. It was not wise to legislate in haste upon a subject imperfectly understood. The speeches which had been delivered were a proof that the nature and operation of tithe were not sufficiently attended to. Hon. Members had complimented the clergy of Ireland at the expense of those of England, because the tithe demanded by the former bore a less proportion to the rent than the tithe demanded by the latter. But hon. Members wholly overlooked the fact, that the difference in the amount of their demands was caused, not by the greater disinterestedness of the Irish Church, but by the greater amount of capital employed by the English farmer. When land was cultivated in an expensive manner, it must produce four or five rents to replace the capital laid out, with an adequate profit; while land of equal natural fertility, cultivated in an unexpensive manner, might yield only two rents. But when the highly cultivated farm yields four rents, the tithe of the whole produce must be equal to half the rent; while, when the land which yielded only two rents, a tenth of the whole produce would be equal to no more than one-fifth of the rent. The tithe of a hop-garden in Kent might be 30*l.*, that of a potatoe garden in Ireland not thirty-pence. Tithe was in its nature a growing evil, inflicting an increasing pressure as cultivation improved; and he was surprised to hear the Member for a great agricultural county assigning the greater liberality of the clergy of Ireland as the cause of the low proportion which in that country the tithes bore to the rent. The commutation of tithes was a difficult question. The right hon. Gentleman, the Secretary for Ireland, had said, that, on this subject, he saw his way; he, for his part, could make no such boast. In the principles propounded by the right hon. Secretary, he could see nothing but "darkness visible." He saw him involved in the mazes of a labyrinth, but he could see no gentle Ariadne by his side offering a clew by which he could escape. The right hon. Gentleman had informed them, that tithes constituted a portion of rent, and were paid by the proprietor of the soil. Were this the real state of the fact, the commutation of tithes would be a simple operation, and might be accomplished by calling on the landlord to pay directly the same amount which he now paid indirectly. But he could not assent to the principle laid down by the right hon. the Secretary for Ireland. Tithe did not form a deduction from rent, and was not paid by the proprietor of the soil Tithe was a tax upon the production of the necessaries of life; and, like other taxes was paid by the consumer. Hence th difficulty. It might be easy to execute that part of the right hon. Gentleman's plan which went to the extinction of tithe, but how was he to carry into effect that part of the plan which was intended to provide the clergy with a substitute of equal amount? Would it be equitable—would it be practicable—to call upon the landlords of Ireland, who might receive no benefit from the extinction of tithes, to indemnify the Church by giving up a portion of their land, or a portion of their rental, in the form of a land-tax? Could such a plan be executed it would prove more dangerous to the Church of Ireland than the present system. It would, as had justly been observed by the right hon. member for Harwich on a former evening, cause the passive resistance of the peasantry to be exchanged for the active hostility of the gentry of the country. He was fully aware that the House of Commons was not the most proper place for discussing abstract principles; yet, as the arrangements now under consideration were avowedly framed and based upon the principle that tithe was a deduction from rent, and as such paid by the landed proprietor, he trusted the House would permit him to state the reasons which induced him to believe that the doctrine propounded by the right hon. Secretary was erroneous. If, upon the extinction of tithes, the price of corn were not to fall, then, as leases expired, and new contracts were entered into, the landlords would obtain an increase of rent just equal to the amount which had been paid as tithe. But, after the extinction of tithes, the price of the produce of the soil would speedily decline, in consequence of increased supply. As soon as the tax upon industry was removed, it would become profitable to cultivate lands which could not before be beneficially tilled, and to apply additional capital to the lands already under the plough; and the power of thus increasing the supply would reduce the price of corn in the same proportion in which the abolition of tithes had reduced the cost of bringing it to market. Rent would not rise, and it would be only as a consumer that the landed proprietor, in common with the other consumers, would be benefitted. It was possible, indeed, that the landlord might obtain a remote and a contingent benefit. If population and demand continued to increase, prices might rise to their former level, and the cost of production being reduced to the extent of one-tenth of the whole produce, land yielding nine quarters of corn might be cultivated with the same advantage which was formerly obtained by the tillage of land yielding ten quarters. Should things arrive at this state, rents could be increased to the amount which had been paid for tithes. But it should be observed, that the arrival of such a state of things was only a possible contingency. If population and demand should not increase—if a permanent check were given to manufactures and trade—if emigration should be considerable—if the progress of knowledge rendered the people more prudent in contracting marriages—or if the restrictions on the importation of foreign corn were relaxed—then, on the occurrence of any one of these not very improbable events, the abolition of tithes would cause a permanent reduction in the price of corn, and would not be followed by any rise of rent. He would, therefore, again ask the right hon. Secretary for Ireland, whether it was equitable or practicable to exact from the landed proprietors of Ireland a provision for the Church equal in amount to the tithes now proposed to be extinguished? An equitable commutation of tithes might be effected, but on principles different from those of the Secretary for Ireland. When that right hon. Gentleman, however, had succeeded in effecting such a commutation, he would have performed a very slender portion of the task he had undertaken. The grievance of Ireland was not so much that tithes were paid, as that they were paid in a wrong direction; that they were paid by a Catholic people to a Protestant Church. Did the right hon. Secretary for Ireland see his way in that direction? Did he see how it was possible to conciliate Ireland, while he retained the standing grievance of her sinecure and alien Church Establishment? If he did, he saw his way where men as able and distinguished had confessed that they had failed to distinguish theirs. When the question of the Union forced on Mr. Pitt the consideration of the Church Establishment of Ireland, he was obliged to admit the existence of a difficulty which he was unable to surmount. It was true that Dr. Paley did see his way upon the difficult question of a Church Establishment for a country circumstanced like Ireland; but then the way seen by the eminent divine and philosopher was diametrically opposite to the way seen by the right hon. Secretary. The doctrine laid down by Dr. Paley, was, that the established religion of a country should be that which the majority of the people professed. Of what value was a measure of conciliation respecting tithes, when the main grievance remained untouched? Would the people of England allow themselves to be taxed in order to support a Catholic Church? Would the people of Scotland consent to pay tithes to an Episcopalian Church? Certainly not. Why, then, expect that Catholic Ireland should tamely submit to be taxed for the payment of a Protestant Church? The idea was preposterous. They must fairly meet the real difficulty of the case. They must come forward and do complete and equal justice to Ireland. These half measures—these timid and inadequate attempts to redress the wrongs of Ireland instead of conciliating, served but to increase irritation. Ireland ought not, must not, should not, be so governed. He was an imperialist. He believed that the Legislative Union between the two Islands was calculated to advance the prosperity of both. But if, on questions of local interest to Ireland, the Imperial Parliament refused to legislate on the same principles upon which a local Parliament fairly representing the people would legislate, then it would become the interest and the duty of Ireland to dissolve the Union. That country could not be held in political connexion with Great Britain except upon the principles of full and reciprocal justice. The measures proposed by the right hon. Secretary on the subject of Irish tithes were impracticable, partial, and incomplete; and, instead of allaying, must aggravate the dissatisfaction of the people. He should oppose such measures, and give his vote for the Amendment.

Mr. *James Grattan* must resist any measure which went to throw the burthen of tithes upon the landed proprietors of Ireland. A motion stood on the books respecting the repeal of the Corn Laws, and if it should chance that the Corn Laws were repealed, the rent which, if subject to this tithe, they, the landed owners, would be able to raise, would not be more than sufficient to cover it, and the taxes. The system of tithes had always been a forced one in Ireland, the people had been constantly at war with it; and they ought rather to be surprised at the tithe being so high there, instead of its being so low. With respect to this Bill, he objected to its being hurried forward, and supported the postponement of the second reading, in order that hon. Members might have an opportunity of consulting their constituents. It was only yesterday morning that this Bill was left with him. How was it possible that he could now be ready to agree to the second reading? He opposed this measure not in hostility to the Government, for he believed that the present state of Ireland was the result of the ill-judged measures of the late Administration, which had given that country the thirty years' discontent and organized resistance. The present Administration was endeavouring to legislate in the best way it could for Ireland. But this measure would only bring the Protestant, and the Protestant clergy into greater odium with the Irish people than ever. If anything more obnoxious to an Irishman's feelings than another could have been adopted, it was this proposal—to placard his name on the chapel-door as a defaulter, whilst its only effect must be to make him a greater enemy to the Protestant clergyman, and determine him more to resist than before. The measure would remedy no existing evils. Where was the landlord of Ireland, who would consent to place his tenantry in the situation of being at the same time proceeded against by the Crown for the tithes of 1831, and by the clergyman for those of 1829 and 1830? He was sure that the Tithe Committee had nearly closed its labours, and when it made its report, the course would be pretty clear. The right hon. Gentleman had had some hard work already, and deserved some rest; but in the course of a month he would probably be able to submit a plan of conciliation to the House, that might be passed along with this measure of coercion, which was not likely to produce any other effect in Ireland than riots and disorders. To give the right hon. Gentleman an opportunity of bringing in a measure that would more gratify the country than anything he had yet done, he concurred in the Amendment.

Mr. *Sheil* said, he was aware that in opposing this Bill with an undaunted steadfastness, the Irish Members had incurred the condemnation and displeasure of Government. They were accused of a serious offence—a want of parliamentary complaisance. But they owed it to their country and to themselves to resist a measure fraught with public detriment, and they preferred the approval of their constituents, seconded by that of their own conscience, to the applauses of the House and the smiles of the Administration. Their opposition would be unavailing in Parliament—not fruitless beyond its walls. The day of reform and of retribution was at hand. Heated and exulting majorities would pass away and be forgotten, while a permanent impression by the disclosure of truth would be made on the public mind. England, by every discussion on church abuses, would be prepared for their correction, and they were opening the way for a measure as important to the interests of the empire as the Reform of the House of Commons. The latter, he felt, must be the precursor of the other, and create the avenues for its advent. He should turn to the Bill. It was replete with incongruities and anomalies. The King was to collect the tithes of 1831, and the clergy the tithes of 1830 and 1829. Thus a hot bed of multifarious litigation would be created. Two suits might be instituted in two different courts, for tithes chargeable on the same premises. Then how were the tithes of 1832 to be collected? Under a system of which the plan lay in embryo in the conceptions of the minister. Wherefore not collect the arrears of 1831 under the same arrangement? Why not bring forward the entire measure at once, which would assert the right of the actual incumbents, and remove the grievances of the people? This Bill would be attended with no benefit except to the law officers of the Crown: to them it would be productive of a great variety of large emoluments. Cases for the opinion of the Attorney and Solicitor General, draft petitions, briefs on hearing interrogatories, and all the et cæteras of official perquisite, would be thrown up in great abundance by this exceedingly fertile Act of Parliament. Passing from details, look to the general principles on which the Bill was founded. It recited that the law must be vindicated. He denied that to enforce a bad law a worse ought to be enacted. But who was it constituted the judges whether a law was bad? He asked, who were the judges in the case of loans and of benevolences, in the case of ship money, in the case of the Massachusetts imposts, in the case of Catholic Emancipation, and, above all, in the case of Parliamentary Reform? When was an abuse ever corrected, or a grievance redressed, without the interpositions of the people? The right hon. Gentleman had said that Ireland needed a lesson.

Mr. *Stanley:* I have already explained that sentence, which has been misrepresented, and it is unfair to charge me again with it.

Mr. *Sheil:* The right hon. Gentleman was too precipate in supposing that he meant to make it matter of accusation; all that he intended to say was, that England stood fully as much in need of a lesson as Ireland, but if she were introduced into the academy of which the right hon. Gentleman was the head, he would probably find her a very indocile and refractory pupil. This Bill was unsustained by evidence, it was unsupported by precedent, and was equally at variance with all principle, and all policy. Although the evidence was most partially collected—although seventeen Protestants were examined out of eighteen witnesses—although the evidence was taken from the vestry room and the barracks, and was either clerical or constabulary—still it established this important fact, that it would be impossible to levy the arrears. This Bill was against precedent. In the English statute no instance was found by which a subpœna and a civil bill were to be suspended by a proclamation and a placard, and by which all the forms and protections given to a defendant were to be entirely put aside. It was necessary to have a recourse to the Draco legislation of an Irish House of Commons, which passed such an act immediately after the rebellion, in the insolence with which victory trampled upon defeat, and a triumphant ascendancy set its foot on the neck of a degraded people. But even the Irish Legislature had refrained from making an assignment of the public to the Crown. The King was not to levy the arrears, nor was the splendour of the Crown to be tarnished by the dust of a court of Pie Poudre. This Bill was against all principle, for surely it was contrary to all justice to inflict immediate coercion, and to leave the relief of a heavy grievance to futurity, or rather to accident. Ireland, which was admitted to be overladen, was first to be lashed up to the Bill, and then the burthen was to be diminished. It was monstrous to precipitate infliction, and to procrastinate redress. This proceeding was opposed to all policy. It would fail, and nothing could be worse than its failure, except its success. Failure would produce derision, and success deep and inveterate resentment. But the truth was, (and it was right to speak it), that the Ministers must, in order to effect a real cure of the evils of the country, proceed at once to a more equitable appropriation of Church property, and immediately commence the business of Church Reform. Every thing else must needs be utterly useless and abortive, or if productive of any effect, would generate none but baneful results. The Irish Church could not—must not—stand as it is. Let Englishmen, who remonstrated against the boldness of such language, and the vehemence of such sentiments, and to whose sensitiveness such a start was given by the strenuousness with which Ireland clamoured for redress, look a little at themselves, and determine the conduct and the feelings of Irishmen by their own. They used a microscopic scrutiny in detecting the faults of Ireland—they saw every nice particle of offence, and perceived the mote in the eye of Ireland—but how did Englishmen comport themselves on the question of Parliamentary Reform. If an Irish Member exclaimed against the abuses of the Church—if he told them that Ireland would not submit to the application of one-tenth of the nation's wealth to one-tenth of the nation's numbers; that their penal statutes would be evaded, their Acts of Parliament enacted in despite of justice, set at naught, and their fetters, no matter how ponderous, would be brittle—they exclaimed, "seditious, turbulent, insurrectionary." But if an advocate for Reform in the Parliament, if a champion of change in the State, if an apostle of innovation in the House of Commons, denouncing those abuses which rested on the same basis of law as the abuses of the Irish Church, employed the language of far more minacious intimidation, and said that the question was not whether they ought not, but whether they must not pass Reform; and told them that the will of England was omnipotent, and that the Lords dare not resist the Bill, and that the sceptre ought to be put forth to appal the turbulent nobility of England into acquiescence—[*cries of "hear,"*]—yes; he understood those cheers; but who could deny that this language had been used; had not a Member, amidst the acclamations of the House, exclaimed, that "the best swords are made out of ploughshares?" and if it was thus that the cause of Reform was pleaded, where was the man who would deny to Ireland the right of asserting her title to redress in the same peremptory tone, and withhold from her that prerogative of complaint, in the use of which the English people were so fearlessly prodigal, and for which no Minister would be found to bring them to task? He for one, would call for the Reform of the Irish Church as loudly, as determinately, and as careless of reproof, as the fiercest champion of Parliamentary Reform; and he would cry out against churches without congregations, as boldly as they exclaimed against boroughs without constituents. Never, till redress was given to Ireland, in this her deepest and worst of grievances, and until an end was put to that system which offered an equal affront to reason, justice, and christianity—never, until that monstrous pile and accumulation of abuses was redressed, would he desist from calling on the Legislature for its thorough and radical Reform. The Irish Members might be encountered by great and vehement majorities, but they looked to their country, and they derived confidence from the contemplation. They were few, but by few many were represented—a small mirror could reflect a vast image: they were few; but not more few than were once the advocates of Reform; they were few, but they were disciplined by integrity, and directed by a singleness of purpose. They were the vanguard of a nation—there was a whole people behind them—they had millions at their back.

Mr. *Crampton* said, he had been so much challenged to come forward on this occasion, that he felt he should be wanting in the duty he owed to himself, and to the office he had the honour to hold, if he did not accept the challenge. He did not, however, rise for the purpose of entering, with the hon. and learned member for Louth, into the contest of declamation, and exaggeration, into which he had allowed himself to be led—but he rose merely for the purpose of answering so much of the speech of the hon. and learned Gentleman as related to the subject before the House, and, he must be allowed to say, but a very small part of his and the hon. member for Wicklow's observations partook of that character;

indeed, it had been the fortune of this debate, that almost every hon. Gentleman who had spoken since its commencement, had touched upon subjects having little or no connexion with the question before the House. The last observation of his hon. and learned friend he must beg leave to notice in the first place. He (Mr. Sheil) said, that he, and those Irish Members with whom he acted on this particular occasion, were the Representatives—the vanguard of the Irish people. He would not exaggerate anything, and he would "nothing extenuate," but he would state what he believed to be the truth on this occasion, and the truth he would not shrink from stating. He would tell, then, his hon. and learned friend, that he and the Gentleman to whom he alluded were not the Representatives of the Irish people; that was a character they did not deserve. He begged to tell them that they did not represent the sound and unbiassed opinions of the Irish people, but that they were the Representatives of the fevered imagination, of the worked-up factions and diseased opinions of a portion only of the people of Ireland. His hon. and learned friend arrogated to himself the notion that he, and those who acted with him sat in that House as the Representatives of the Irish people. He believed they acted with the best intentions, but were they doing justice to themselves and their country, by merely recommending themselves to an unsound portion of the people. His hon. and learned friend had complained that the provisions of the Bill had not been detailed by his right hon. friend the Secretary for Ireland. He believed his right hon. friend had exercised a sound discretion in introducing this Bill without any comment, because the Resolutions on which it was founded had been amply discussed during a debate which had lasted six or seven nights. The Bill consisted of a few provisions which were all embodied in those Resolutions, which had already met with the sanction of the House, and which were introduced for the purpose of putting an end to the combination which existed against the payment of tithes to the clergy of the Church of Ireland. He did not hesitate to pronounce this combination illegal; it had reduced the clergy to very great distress; it was, therefore, expedient that funds should be raised by the Government to give them relief, and that these funds should be levied on, and paid, not by the country at large, but by the defaulters—by those who were in arms against the law of the land. These were the provisions and the principle of the Bill: as to the details, they would be a matter of future consideration. But his hon. friend said, that this Bill contained measures of coercion which were gratuitously oppressive to the people of Ireland. and yet, at the same time he affirmed there were no remedies vested in the Crown that could not already be exercised. How he could reconcile these two propositions he was at a loss to understand. If this was a measure of coercion in the Crown, was it not a measure of coercion in the clergyman? The real truth simply was; the arm of the law was strong, but that of the Church was weak; the Church could not enforce the law; but put the weapon in the hands of the Crown, and it would be wielded successfully. The objects of this Bill were to transfer from the clergy to the Crown the enforcement of the law, to compel the debtor to pay his just debt, to put down illegal combination, to vindicate the law, and to pacify and tranquillize the people of Ireland. His hon. and learned friend declared it would certainly fail to accomplish these objects. If there was any one thing in existence which could tend to produce the failure of this measure, it was the predictions of the hon. and learned Gentleman, and those who acted with him. These predictions had excited a fever in Ireland, and had lit up a flame in the minds of many of the people of that country. He was well assured this illegal combination was limited in extent, and that it did not prevail beyond the boundaries of the six counties; but in the language of one of the witnesses examined before the Committee on this subject, there were a number of persons standing by to wait the decision of the House. He would, to bear out this position, read a short passage from the evidence of one of the witnesses. In answer to a question put to him he said—'I am not aware of the existence of any 'case in which they have committed any 'overt act of violence in the resistance of 'the payment of tithes. I know of cases 'in which the tenants are afraid to pay, in 'consequence of the threats of those who 'oppose the payment of tithes.' This was not the evidence of the Church or the police, on which his hon. and learned friend had dilated with so much severity, but it was the evidence of Sir John Harvey, formerly a distinguished officer in his Majesty's service, who, having successfully fought the battles of his country, had now accepted the situation of Superintendent of Police. He had not adverted to the evidence of a clergyman—although that would be as respectable testimony as could be adduced—but he had produced the evidence of a country gentleman—of a Magistrate residing in Kilkenny—and, above all, a Roman Catholic; and this gentleman said, in strong and emphatic terms, that numbers were prevented by intimidation from paying their tithes; that they were awaiting the issue of the decision of that House; and that, with the assistance of the Government, and with the arm of the Government extended in support of the clergy, those tithes would be paid. The hon. and learned member for Louth, and the hon. member for Wicklow, challenged him to produce a single witness in support of such measures as were contemplated by this Bill. He would produce such evidence, and show them that this Bill was not merely the measure of those who had now introduced it. The hon. and learned member for Louth said there was no precedent for this Bill; but he afterwards acknowledged that in the Irish Statutes there was a bad precedent of a bad year—namely, in the year 1799, immediately after the rebellion. These Resolutions had been taken from the Act of 1799; but the hon. and learned Gentleman objected to that Act, on account of its having been passed in that very year. But did not the hon. and learned Gentleman know that the Act of 1799 was not the first on the Statute Book? Did he not know that, in the year 1787, a Bill in almost the same terms was passed? And why? Because a combination against the payment of tithes existed, in seven counties of Ireland, to the same extent and in the same degree as now existed. But did not the hon. and learned Gentleman know that that combination extended to the payment of rent? and did he not also know that, by means of the Act of 1787, that combination was successfully put down? The hon. and learned Gentleman might then turn to the Statute Book, and find a similar Act of Parliament in a subsequent year—in the year 1788. He might call it a measure of coercion if he pleased, but it was successful; it twice pacified Ireland, and it was now resorted to again for the same purpose. He said, however, that the former Act differed very materially from that which was now proposed. It undoubtedly did so in one single instance. It transferred from the hands of the clergyman into those of the Crown, the power of enforcing, by means of the law, the payment of arrears of tithes. He would now turn again to the evidence of the witness whose name he had already mentioned, and he said, that the only mode by which tithe could be successfully collected, was taking the collection of it out of the hands of the clergy, and putting it into the hands of the Government. Now, in this case did his hon. and learned friend represent the opinions of the people of Ireland — particularly the Roman Catholic people? Certainly not. Against him he quoted the opinion of a respectable gentleman, of an uninfluenced and unprejudiced Roman Catholic, who said, that the only mode that could be successfully devised for the collection of tithes, and the pacification of the people, was putting that collection in the hands of the Government: so much for precedent. And he now requested to make a few remarks upon the principle of the measure, which was said to be outrage to the feelings of the people of Ireland. Was it an outrage of principle to call on the debtor to pay his creditor? The hon. and learned Gentleman appealed to justice. Was there justice in taking force and strength into one's own hands against the law, for the purpose of depriving the clergy of their rights and property, and disregarding the feelings and character of a body of men as much distinguished for learning, benevolence, and piety, as ever existed in any country in the world. The hon. and learned Gentleman appeared to sympathize deeply with what he called the people—but who more truly deserved the name of Terry Alts, midnight conspirators—who were armed in combination against the law of the land? There was no man in the slightest degree acquainted with law who must not be fully of opinion that those persons who combined against the payment of tithes were conspirators and criminals. These were the persons for whom the hon. and learned Gentleman expressed such sympathy, and on behalf of whom he exclaimed against what he called measures of coercion, though, at the same time, he had no sympathy whatever for those who had lost their all, and been reduced to a state of the greatest distress by this conspiracy against the payment of tithes. On the part of those persons, he exclaimed. "What, will you allow two actions, one at the suit of the Crown, and the other at the suit of the parson? How monstrous this is; how oppressive is such a proceeding." But did not the same power exist now, if there were arrears? he knew it would be unjust on the part of the clergyman, if he were to bring an action for one year's tithe, and leave a subsequent year unsued for. Was there anything in the law, however, that prevented his doing so? But what was the reason that the clergyman could not now sue for his tithes? Because of the expenses in which he would be necessarily involved: the expenses were so great, and the difficulties he would have to encounter were so numerous, that he was disabled from proceeding. But what was done by this Bill? Why, last year's tithe was transferred to the Crown; the Crown was enabled to call these tithes in without any expense whatever to the defendant. The clergyman was unable now to sue for any portion of his demand: he might be able, perhaps, to do so when he had received assistance from the Crown; but was there any Member in that House who would undertake to say that it was an actual injustice to entitle the clergyman to sue for the arrears of tithes justly due to him? There had been combinations against the payment of rent on exactly the same ground. Was there any man in that House who would say that if the Legislature were to make advances to relieve the landlords, it would be an act of injustice to enable the Crown to sue for the arrears of rent? The cases were precisely the same in this respect, although not in all. There was nothing in the objection that the Bill was founded in injustice. The clergyman was entitled to sue: the tithe was as much his property as the estate of any hon. Gentleman was his. His hon. friend said then, "how are the arrears of 1832 to be collected?" Why, they were not dealing with these circumstances — there was a crying grievance existing — a mischief pregnant with danger — a combination that must be promptly put down, and he did not hesitate to say that, if the Government were to stand quietly by—and remain neutral on this occasion, they would be traitors to their country. They were bound to take the one side or the other —they must take part with the clergy to assert their legal rights, or with their opponents, in violation of the law. This combination was composed of men acting under a delusion. Instruments had been made use of to agitate and disturb their minds. Persons had industriously circulated the most unjust and unfounded rumours, such as that the Government were favourable to the combination. But when the Act had become the law, that delusion would be destroyed, and all those who had combined under that pretence would return to peace and quiet. This law would also liberate all those now under intimidation, who would then side with the Government and with the law; they would join with those who were attached to peace and good order, and combination and conspiracy would melt away,—

> "Like snow before the summer's sun."

To provide for the payment of tithes, and to obtain a sum sufficient to relieve the distressed and suffering clergy, was all that was required. But the hon. and learned Gentleman had stated, that this Bill would be productive of great emoluments to certain law officers, such as the Attorney General and Solicitor General for Ireland, the expense of which would fall on the unfortunate tithe-payer. This remark was not made with the usual caution of the hon. and learned Gentleman, for by a special enactment there were to be no costs of any kind or description as against the defendants and, therefore, they were not to pay the costs of fees to the Attorney and Solicitor General, who were to carry the provisions of this Bill into operation; but the clergy were to pay them. Nor was there any hardship in that case, for every clergyman who received relief under this Bill was a volunteer. He knew the terms on which the Government offered relief; and if he was unwilling that his tithe should be recovered at his expense, he was not called upon to derive any benefit under the Bill. His hon. and learned friend had made another observation, which he felt it necessary to touch upon: he had compared the case of tithes with that of Reform. He said, that the deference paid to public opinion on the subject of Reform, ought to have been also afforded to the opinions of the people on the subject of tithes. His hon. and learned riend had consulted his imagination much more than his judgment, when he made that observation. There was no analogy or similitude whatever between the two cases. Those who advocated the cause of Reform were advocating the cause of the Constitution. They were not the supporters of combination—they were not the supporters of breaches of the law—they were not the supporters of criminals, but they were the advocates of the cause of the Constitution, and the restoration of the rights of the country. But what was the cause of those who advocated the combination against the payment of tithes? It was the cause of those who advocated a system directly in contravention to the law, who took up the cause of criminals—of persons who, by the common and statute law, were subject to punishment by Courts of Justice for the combination into which they had entered. Did the hon. and learned Gentleman deny this fact in point of law? If he did, he was ready to prove it by the best authorities. He was surprised, and he might add amused, to hear his hon. and learned friend, the member for Drogheda, state that the combination against the payment of tithes was a legal combination. But, if it was so, a combination against the payment of rent, or an association for the purpose of smuggling would be legal also. With great deference for his opinion on points of law, would the hon. and learned Gentleman, the member for Louth, who seemed to acquiesce in the dictum of the hon. member for Drogheda allow him to say, that a combination for an illegal purpose even by legal means, was a conspiracy against the law. He would even go further, and tell him that if any number of persons combine to carry even a legal object into effect, they were conspirators, and as such were liable to be punished by the law of the land. That was the doctrine of the common law, but there was an Irish statute expressly on this subject, by which all persons entering into an agreement against the payment of tithes were conspirators—they were held to be so by the Statute of 29 George 2nd cap. 12. He need not allude to the Act more particularly, for he had no doubt his hon. and learned friend was well acquainted with it. He would only trespass upon the attention of the House for one moment longer to allude to an argument, which had struck him forcibly as made use of during the debate. An hon. and learned Member had denominated the resistance to the payment of tithes "a passive resistance" and other hon. Members had compared it with the conduct of Quakers, who were known to decline the payment of tithes upon conscientious scruples; but if that sect ever did combine, it was for the purpose of charity and benevolence: they declined to pay their tithes directly, but they scrupled not to allow the tithe-owner to pay himself; he wished their conduct was imitated in Ireland, he had never heard of the Quakers combining to murder a process-server, to shed blood, or to violate the law. Those who were guilty of such practices must be put down with the strong hand, if gentle means failed. He trusted this measure would put an end to the combination. It could not be called a measure of coercion, for it only compelled the debtor to pay his creditor, when he refused to do so by fair means. It was a measure of which justice and mercy formed the concomitant characters.

Mr. *O'Ferrall* maintained that the opinions which had been advanced by the hon. and learned member for Lowth were not those of the mere rabble of Ireland, but of a very respectable portion of the inhabitants of that country. He had stated, that the people of Ireland were strenuously opposed to the present tithe system, and there could be no doubt that his remarks were perfectly correct. He (Mr. O'Ferrall) warned Ministers; if the Bill passed, its effect would be, to make them exceedingly unpopular in Ireland.

Sir *Charles Wetherell* said, the necessity of this measure was not sufficiently explained. There was no case analogous to it in the history of this country. He should, however, vote for the second reading, hoping to hear some further explanation in Committee. He doubted the wisdom of not instituting the suits for arrear of tithe in the name of the clergyman to whom it was due. The machinery of the Bill was very circuitous and cumbersome: it would occasion trouble and expense where they ought not to be, and would lead to Chancery suits. He hoped to see these points further explained in Committee. The responsibility of the measure, however, must rest with the Government.

Mr. Wyse and Mr. Stanley rose together; the Speaker called on Mr. Stanley.

Mr. *Wyse* said, he rose to move an adjournment. [*Calls of* "*Go on,*"] and

Mr. *Stanley* proceeded: He should trouble the House but with a very few words. His task had, indeed, been lightened by the able speech of his hon. and learned friend, the Solicitor General for Ireland. Whatever objection had been made, as connected with the justice, or with the supposed operation and effect of this measure, or as connected with the real object Ministers had in view, his hon. and learned friend had given the most satisfactory explanation. The hon. and learned Gentleman opposite (Sir C. Wetherell) did not, indeed, object so much to the Bill itself, as to certain supposed principles which it involved, that was to say, he approved of the object of the Bill, but entertained doubts as to the adaptation of it to the accomplishment of that object. He should accept the proffer of the assistance of the hon. and learned Gentleman with the greatest satisfaction. He wished the Bill to be in Committee; and if in its progress there, his (Sir Charles Wetherell's) knowledge and abilities should enable him to discover where Ministers had fallen short of their object, and if he would give them information how to effect that object, he (Mr. Stanley) should not only refrain from opposing his suggestions, but receive them with pleasure. At the same time he must say, with regard to the provisions of the Bill which relate to the recovery of the arrears of tithes, that they were taken almost *verbatim* from the Irish Acts of 1787, 1788, and 1799, which upon all those several occasions were found to be effectual, and, therefore, he could see no reason to suppose that they would not be effectual now. It was true that the present Bill differed from those Acts in one respect—in a clause involving a principle of very considerable importance—the name of the Crown was proposed to be substituted for the name of the clergyman: but on a former occasion, he had stated the ground on which it was thought proper that that change should be made; and that ground was, that it was considered more likely to conduce to that harmony which ought to exist between the pastor and his flock; because it was conceived that the Crown would be more likely to proceed with greater leniency, forbearance, and discretion, than might be expected in some cases where the individuals were left to seek the redress of wrongs which they themselves had suffered. He was ready to admit, that it was an important question whether these suits should be carried on in the name of the Crown or not: and, although he did not think, in point of practice, it was very material, yet in point of principle he admitted it to be so. But the hon. and learned Gentleman said, that Ministers would not succeed, inasmuch as the resources of Government, and the powers which were at the disposal of the Crown, were not sufficient to carry the provisions of this Bill into execution; for if they were, why could not the clergy, who had an equal legal power with the Crown, enforce their own rights? The resources of the clergyman were insufficient, not because the law was not open to him as well as to the Government, but on account of the delay of litigation; and because the enormous expenses in which he was involved, made it impossible for him to submit to the process requisite to carry the law into effect. Indeed, the point of expense was, perhaps, the principal reason why the Crown had taken the matter into its own hands; and when the hon. and learned Gentleman talked of the expenses of the proceedings under this Bill, he would remind him, that one of the great objects of the present measure was, to remove all those previous litigious proceedings, which were the main source of the difficulty and expense, and the main impediment to the clergyman recovering his rights. The hon. member for Kildare had complained that the notice was not to be served personally, but was to be posted upon the door of the chapel. Every body knew that the serving of process had been the invariable cause of all the conflicts and feuds that had occurred upon this subject in Ireland. Government had in this case followed the precedent of 1786 and of 1799, by dispensing with personal service. If there was one place above another, where the notice could be posted with a probability, if not a certainty, that every individual concerned would have full knowledge of it, it was upon the door of the Roman Catholic chapel. But then the hon. Gentleman said on behalf of these Roman Catholic defaulters, that it was really a violation of delicacy; and that no man liked to see his name put up as a public defaulter! But was a person who deliberately signed his name to a resolution, made at an open meeting in his parish, that he did not mean to pay his debts, though he was solvent, to complain that his feelings were outraged, because he was placarded as not having paid those very debts? To talk of violation of delicay, in such a case was requiring a little too much forbearance in favour of those Gentlemen who were now making a passive resistance to the legal demands that were against them. The hon. and learned Gentleman (Sir Charles Wetherell) had referred to the expense that would be incurred by the proceedings in Chancery. There were but few steps to be taken prior to obtaining the decree; but the hon. and learned Gentleman said, it was easy to ascertain the amount of tithes payable in those parishes where the Composition Act had been adopted. It was so; but it was not so easily ascertained whether the party had actually paid them or not; and yet it was absolutely necessary to ascertain that fact, before any ulterior proceedings could be taken. When this had been done, then the party was to receive one month's notice before those subsequent proceedings were resorted to; and he was surprised to hear the hon. and learned member for Louth propose that the period of notice should be shortened. It was necessary that such a notice should be given to the parties, in order that they might know that the arm of the law was pending over them, and to warn them that Government would not be trifled with; at the same time it apprised them that Government was ready to receive a portion (according to circumstances) of their debts, and abstain, even at the eleventh hour, from enforcing the payment of the whole by legal proceedings. If the hon. and learned Gentleman (Sir Charles Wetherell) could suggest a readier, a more simple, or a less expensive course, both to the clergyman and to the defendant, than that which he had just described, it would give him (Mr. Stanley) great satisfaction to receive his objections; at the same time, he had a confident hope that in very few instances only would it be necessary to put this measure into force. Let but the law be rigidly applied against a solvent tenant, who did not choose to pay his tithe, although he was perfectly able to pay, but who set himself contumaciously in opposition to the law, if the law were once energetically made to bear against either the goods or the person of such a passive resistant, and his word for it, the neck of the obstinate and pertinacious resistance now displayed would very easily and shortly be broken; and having once subdued the solvent and more respectable class, their poorer neighbours who had been led astray by their example, would soon be brought within the wholesome restraints of the law; and by a speedy application of the provisions of this Bill, a very beneficial and moral effect would be produced, and due subordination to authority would be restored and made secure. He did not think it necessary to enter further into the consideration of the principles of this Bill, as they were fully discussed when the Resolutions upon which they were founded had been introduced.

Mr. *Jephson* said, he agreed to the Bill so far as it transferred to the Crown the right of recovery, and of requiring payment from the defaulters. He wished to see the law vindicated, but at the least possible expense. He thought, however, that the details of the measure were pressed too far and too precipitately, and objected particularly to the petition to the Court of Chancery in the first instance. The defaulters ought, in his opinion, to be brought to the Courts nearest to them.

Mr. *Wyse* said, that the hour of the morning, now nearly two o'clock, and the desire of many hon. Gentlemen who wished to express their opinions on this Bill, would have been quite sufficient of itself to justify him (Mr. Wyse) in persevering in his motion of adjournment; nor should he have consented to abstain from making it, except on the express understanding of an opportunity for further debate being fully afforded before going into Committee. They had now to consider the principle—in Committee they had to debate the details, and adverting to such details at this stage, except when they bore immediately upon the principle, though sanctioned by the desultory example of the right hon. Member opposite, he could not but consider as somewhat travelling beyond their brief. He wished, therefore, that a full opportunity should be preserved to such Members especially as had not yet spoken, to discuss this principle at a proper time. If this could be done before going into Committee, with that he should rest content—at the same time, he could not altogether, let pass, even at that hour, some of the assertions of the hon. the Solicitor General. He had expected from him, he must say, something more calculated to remove or qualify his objections to the Bill than what he had heard that night. He had listened attentively to the whole train of his argument, and, giving him full credit for legal ingenuity he must candidly state that at the end of his speech, he left him precisely where he was when he set out. He had not advanced in his mind one step beyond what had been generally conceded—the real difficulty stood as immoveable and unchanged as ever. He still felt as strongly and obstinately averse to the measure as when it was first broached. It was not shown, granting the arrears ought to be recovered (almost an obvious consequence from the grant to the clergy)—it was not shown by a single argument that the mode proposed by this Bill was the shortest, surest and most satisfactory mode which could be devised to recover them. He still continued to think that the mode suggested the other night, from those benches, was in every particular far preferable. He begged pardon of the House for touching at all at this late hour, upon these topics. The hon. Solicitor General had forced them again upon their consideration. Granting that the notices were better served, that the clergyman was rescued from the passions of the excited people, and the people from the passions of the excited clergyman (he did not know that clergymen had passions, or could be excited); granted, all the increased new facility, which was so much spoken of in carrying into effect the preliminary proceedings, were they one jot advanced by all this to the main object of the whole—the recovery of the arrears? "Let us suppose," continued the hon. Member, that the decree is made, how are you to execute the decree? That, blink it as you may, is the simple and entire question—how are you to execute the decree? There is abundance of illustration—abundance of proof, how easy it is to get over all the other difficulties; but how are you to get over this, the main difficulty, the greatest of all, the real, the only difficulty—not one single word. Nor is this at all extraordinary. What can be said? What can the Solicitor General, or the Attorney General say? What can they offer beyond what has been already tried? They can not ask for more than imprisonment of person or sale of goods, by way of penalty, nor for more than army and constabulary, by way of a public force, to carry these penalties into execution. These instruments have been tried, and these instruments, it is universally admitted, have failed; there is no reason to think they will cut sharper or surer by being transferred to other hands. If Mr. Hamilton or Sir J. Harvey be on one side, Mr. Langrishe is on the other. He knows the present system is totally ineffectual, and he says directly, in answer to a question "whether he could suggest any alteration in the law that would enable the clergy or the government to recover the existing arrears?" "No."—We, indeed, on this side of the House, did not go quite so far: but we asserted, and do still assert, that, if the clergy or Government wish to recover these arrears, they must go about it in quite a different way from what they now do. A good remedial measure brought in first would do more for such an end than decree, army, constabulary, Exchequer, Chancery suits, sales, and imprisonments, to boot. The Irish people have made larger sacrifices, larger returns than this on former occasions, for the concessions and graces of a just and liberal Legislature; and that man must know them little who does not know they will do this if necessary, again. The hon. Solicitor General says, however, they ought to be quite contented with this measure, for it is founded on the good precedents of 1787 and 1799. But what care the great mass of the people of Ireland for precedents? If they care for them at all, it is only to execrate them. I, too, reject them. The precedents of Irish legislation have left on their minds far other impressions than what they leave on the mind of a lawyer. They recollect them, for the greater part, by circumstances only of untiring oppression, undiminished wretchedness and wrong. But, says the hon. Member, those very bills worked wonders in those days—they smote the evil at once to the earth—they scattered the combination at the very first touch—this will do as much again. But has the hon. Gentleman read history? Does he believe in history? Are his eyes open to the present as well as to the past? Does he not know there is little or no resemblance between them? The year 1787, indeed! and is the Ireland of 1787 to be compared with the Ireland of 1832? Does he not know that Catholic Emancipation has passed? Past, did I say—does he not know that Catholic Emancipation had been delayed? The wonders, the total alteration, produced by that alarm are yet but half known: this House perceives them by intervals and glimpses—the time is yet to come for full developement. Every partial exhibition of change is here regarded as the effect of some single individual, or some paltry local cause. I can assure the House they arise from a far broader and deeper source; from the moral change which has taken place in the people of Ireland, from the highest to the lowest—a change brought about by yourselves, by the education you sent amongst them, and the wrongs you allowed to endure—by the opposition which taught them union and the delay which forced them to activity and perseverance, almost against their will. This House, and this Legislature, have been the great agitator of Ireland. This House it is, which has disciplined, organized, and excited the people of that country to what they now are. You have reprobated the association, but you have effectually established associations in every village in the land. You may call them combinators and conspirators? I do not know what combination or conspiracy is, in a legal sense, but if it depend on forms, on oaths, on words, these conspirators can do without them all. They are held together by the invisible, but not less invincible, chain of a common sentiment growing out of a common wrong. The Irish of 1787 were mere tumultuary slaves, bursting out into rude Agrarian insurrections from their bondage, easily excited, and easily put down; but not so the Irish of 1832. They have learnt the value of continued and unanimous constitutional exertions, of moral force, exerted firmly and perseveringly for a great end. Such a conspiracy as this is not to be rooted out by anything less than good and just law; but law, to be truly good, must be law in time. The noble Lord (Althorp) has said, that the association was suppressed before the emancipation was granted. But measures went hand in hand—the one, as has been already proved, would have been utterly impossible without the other. In that way only can you henceforth legislate for Ireland. It becomes a truly wise Government thus to go before the demands of the people, to understand, and, if possible, to anticipate, their wants; its moral force will thus be doubled; it will thus be enabled to marshal events, "in the way they should go;" and it will thus be able to conduct the people, unimpeded, to their own good. The Government may do this if so it will; but if it will not do it, as surely as we deliberate here this night upon evils unredressed too long, so sure will such a Government be obliged, in a season not of its own choice, in a manner, perhaps the most opposed to its will, to follow after that very people whom it first rejected, to adopt those very measures which it once most scoffed at—to follow and to adopt unthanked and unrequired—dragged, as other Governments before have been at the chariot wheels of a sudden and unrelenting necessity. I shall not trespass on the House longer, but withdraw, on the understanding already mentioned, my Motion for adjournment.

Mr. *Leader* when a measure was introduced to combine the powers and the revenue of the Crown and the Church for the purpose of coercing the people should consider himself as destitute of a just regard to those interests which he was sent to represent, if he did not promptly and explicitly declare, that he never could be induced to give his assent to any new or extraordinary powers reducing the King's subjects in Ireland to King's debtors, and placing their persons and properties at the disposal of the Attorney General for enforcing the arrears of tithes for 1831, unless this coercive measure was accompanied, as he undoubtedly understood to have been promised, by a remedial measure for their total abolition. He asked, when new legislative and penal powers were looked for by the Irish clergy, what did the House propose doing for the neglected, overlooked, and pauperised agriculturists of Ireland? Was there no faith broken with the tithe-payers of Ireland? If there was great sympathy for the suffering of a few of the clergy, was all sense of justice extinguished as regarded the Irish tithe-payer? He contended warmly, that for thirty years since the Union, the tithe-payer had been duped and deluded by the most specious, and, at the same time, the most hollow promises; he relied on it that the prospect of the settlement of the tithe question was part of the advantage held out by Mr. Pitt when he proposed the measure of the Union between great Britain and Ireland. It was idle, nay, unjust, to bring forward whining complaints of the sufferings of the Church, and to see a reforming Member postponing the consideration of the sufferings of the people. When he heard taunts and calumnies on the people of Ireland, were they to indulge in no animadversions on those who, by violated promises and and cold apathy, and long-disdainful neglect, had shaken, if not destroyed, the confidence of the people in their rulers, and had in truth left them nothing to rely on but themselves. He, for one, set little importance on the evidence of the Magistracy as to the resistance to the payment of tithe—and of the clergy as to their distresses. In the first place, it was impossible the distress could be great when a very rich Church was sought to be relieved by so small a sum as 60,000*l.* In the next place, if a few of the clergy had been disappointed in the payment of one year's tithe, how numerous were the classes of society who were occasionally exposed to greater vicissitudes and distress? These, and other subjects which had been relied on with much affectation of their being of paramount importance, were as nothing when compared with the great and important fact that false hopes were held out at the Union to the agriculturists in Ireland—that they were deluded by the specious promise that the tithe system, which Mr. Pitt admitted in Ireland to be a great practical evil, should be redressed. Administration after Administration had rolled on, every one admitting the importance of the measure, but without one of them, from that time to the present, coming forward to redeem the pledge. Instead of reading the words of Mr. Pitt, which would be found at length in *Hansard's Debates*, he would, at that late hour, merely state the substance of his declaration on pressing the measure of the Union. He (Mr. Pitt) avowed that something was necessary, and should be done, to relieve the Irish agriculturists from the pressure of tithes, which were a great practical evil, and likewise avowed the necessity of an effectual provision for the Catholic clergy, without breaking on the security of the Protestant Church. It would be found in *Hansard*, that, on these grounds Mr. Pitt proposed the Union, as those measures when conceded would provide an effectual remedy for the distraction which unhappily prevailed in Ireland; while otherwise those causes which had endangered would still endanger its security. And on those grounds, if none other existed, he said, he should feel it his duty to submit the measure of Union. This was the promise —this the pledge of the Minister who effected the Union. Would any Gentleman rise in his place and say, that all commiseration was for a clergy? Was the payment when tithe had been delayed for one year, to be enforced, and was no allowance to be made for the people who had been looking for thirty years to the performance of a sacred promise given for the best consideration—the union of the two countries. He had no difficulty in declaring, that the Bill never would answer the sanguine expectations which were so vauntingly and triumphantly entertained of its importance and the certainty of its success.

Lord *Althorp* said, that he had been appealed to during the debate, on the ground that he had promised not to call for this measure of coercion without accompanying it with a measure of relief. He admitted that he had stated, that such was his intention; and he should have produced a measure of relief at the same time that this Bill was introduced, but that such a measure was one of a more complicated nature than a measure of the sort now before the House, and, therefore required greater time to prepare it.

The House divided on the Amendment: Ayes 21; Noes 119—Majority 98.

Bill read a second time.

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Chapman, M.
Duncombe, T. S.
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Grattan, J.
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Leader, N. P.
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TELLER.

O'Ferrall, R. M.

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